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# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chamber - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place

Thursday, May 4, 2000

1:30 PM

### Regular Meeting

DOCUMENTS DEPT.

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PRESENT: Theoharis, Antenore, Chinchilla, Joe, Richardson  
ABSENT: Mills, Martin

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:35 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning, Larry Badiner - Zoning Administrator, Ellen Miramontes, Kenneth Chin, Amit Gosh, Tony Kim, Dario Jones, Sailesh Mehra, Steve Shotland, Linda D. Avery - Commission Secretary.

#### A. ITEMS PROPOSED FOR CONTINUANCE

1. 2000.006C (KEYLON: 558-6613)  
3445 GEARY BOULEVARD, south east corner at Stanyan Street, Lot 41 in Assessor's Block 1085 -- Request for Conditional Use Authorization under Planning Code Sections 121.2 and 712.21 for use size exceeding 6,000 square feet within an NC-3 (Moderate Scale Neighborhood Commercial) District and 40-X Height and Bulk District. The proposal is for a ground floor retail store (Beverages and More of 11,989 gross square feet.  
Preliminary Recommendation: Disapproval.  
(Continued from Regular Meeting of April 13, 2000)  
(Proposed for Continuance to May 18, 2000)

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Theoharis, Antenore, Chinchilla, Joe, Richardson  
ABSENT: Mills, Martin

# THE HISTORY OF THE CITY OF BOSTON

BY  
JOSEPH NEALE

VOLUME I  
FROM 1630 TO 1780

BOSTON  
1856

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BOSTON

- 2a. 99.583X (WILSON: 558-6602)  
881-899 HOWARD STREET, southeast corner of Howard and Fifth Streets, with secondary frontage on Tehama Street, Lot 79 in Assessor's Block 3733 --Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance and Exceptions, including an exception to the Freight Loading Space requirement (Section 161(i)) to allow the conversion of approximately 152,000 square feet of space in the existing building to office use. The project also includes consolidation existing tenants at the site (approximately 92,400 square feet of retail and 13,400 square feet of office), and provision of approximately 45 parking spaces. The project lies within a C-3-S (Downtown Support) District and the 130-F Height and Bulk District. Recommendation: Approval with Conditions  
**(Proposed for Continuance to May 18, 2000)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Theoharis, Antenore, Chinchilla, Joe, Richardson  
ABSENT: Mills, Martin

- 2b. 99.583B (WILSON: 558-6602)  
881-899 HOWARD STREET, southeast corner of Howard and Fifth Streets, with secondary frontage on Tehama Street, Lot 79 in Assessor's Block 3733 --Request under Planning Code Section 320-322 (Office Development Limitation Program) to allow the conversion of approximately 152,000 square feet of space in the existing building to office use. The project also includes consolidation existing tenants at the site (approximately 92,400 square feet of retail and 13,400 square feet of office), and provision of approximately 45 parking spaces. The project lies within a C-3-S (Downtown Support) District and the 130-F Height and Bulk District. Recommendation: Approval with Conditions  
**(Proposed for Continuance to May 18, 2000)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Theoharis, Antenore, Chinchilla, Joe, Richardson  
ABSENT: Mills, Martin

## B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:



- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**SPEAKER(S):****Alice Barkley:**

360-362 10th Street - a question arose on April 27, 2000 regarding the the applicability of the resolution of the commission regarding affordable housing. Ms. Barkley handed out information regarding this.

**Paul Kawakami of Cassidy, Shimko and Dawson:**

Item 7 - 2844-2846 Greenwich Street - There was a fax that was sent to the commissioners about his firm being retained to represent Mr. Somaya. The Commission had no jurisdiction to take DR in this matter because the 30 day period described in Section 311 had expired by at least 60 days at the time the DR request was filed. Mr. Somaya had a reasonable belief that his project would no longer be subject to DR, yet the Commission granted DR. At the April 13, 2000 meeting, there was a finding of intent to make a decision. Mr. Kowakami believes that this is a legal issue that should be taken up by the City Attorney's Office. Mr. Somaya would like to get along with his neighbors and would be willing to drop the penthouse structure and just continue with the roof.

**Ketu Somaya - Owner of property at 2844 Greenwich Street:**

Apologized to the Commission. At the previous hearing he wasn't able to express his comments completely. There was no work that was done without the Planning Department's knowledge or approval. He has had damage to his home because of his mistakes. The penthouse wasn't shown on the front side of the drawing. The architect submitted the drawing which didn't show the penthouse. He is willing to pay for his mistakes and not continue with the proposed penthouse work.

**Steve Williams:**

Represents concerns of neighbors of a proposed hotel located at 2361 Lombard Street, which was heard on March 2, 2000. The project was presented as a conditional use authorization as compatible and desirable to the neighborhood. The Commission passed a vote of +4 -3. The lead planner on the case had come to the opposite conclusion that was given to the Commission at the time of the hearing and that information was not given to the Commissioners. The lead planner recommended denial based on inappropriate scale for the district. The planner and the neighbors were in agreement. What other information is being withheld to the commissioners? Many times the Commission sides with the department.

**Patricia Vaughey:**

The Commission and Bureau of Building Inspection believes that the commissions of these departments should charge for people who are continually causing problems.

**C. COMMISSIONERS' QUESTIONS AND MATTERS**

3. Consideration of Adoption - draft minutes of 2/10/00 and 3/2/00.  
**ACTION: Approved**  
**AYES: Theoharis, Antenore, Chinchilla, Joe, Richardson**  
**ABSENT: Mills, Martin**





## 4. Commission Matters

**Commissioner Theoharis:**

- 1) Certain timely information is being sent after the fact. Sometimes this particular mail is being sent bulk rate and this takes longer so it should be sent well in advance.
- 2) When she gets briefs from lawyers, she finds them on Thursday mornings. It would be very difficult for her to review this information on the same day of the hearings. Get materials in on a timely matter.

**Commissioner Antenore:**

Agrees with Ms. Theoharis's sentiments. Even briefs that are received on Mondays - it still is quite difficult to review before hearing date. Although there are exceptions, last minute items are hard to review.

## D. DIRECTOR'S REPORT

## 5. Director's Announcements.

**Gerald Green:**

- 1) This morning he attended the Mayor's summit on housing and homelessness called Campaign 2000. Items talked about were: housing, affordable housing, and homeless issues. Almost every speaker talked about planning issues and the planning process as well as land use. There were positive comments regarding the department. There was a strong recognition about the limited land use and talked about higher densities (i.e. taller and larger buildings). There was a strong desire to get better architecture. Mr. Green will continue to be part of this process.
- 2) The program of Better Neighborhoods 2002 kicked off this week. There were many meetings at different neighborhoods: Market/Octavia; Waterfront; Balboa. They used bulk mail to send out the information. The shortcomings of bulk mail is that the post office decides when to send it out. The department is learning from this experience and will send out information in advance to give people a good turnaround. The department is improving the process and making sure that we get public input.
- 3) Would like to announce that Mr. Larry Badiner has become Zoning Administrator. There are 2 vacancies at the senior level; therefore there will be many adjustments to be done within the department.

## 6. Review of Past Week's Events at the Board of Supervisors &amp; Board of Appeals.

**BOS:**

- 1) 2361 Lombard Street - continued for 2 weeks.

2) There was a conditional use that was granted with substantial conditions for SF Asia (entertainment permit where one part was approved and the other was not approved). This will be before the Board on Monday.

**BOA:**

- 1) 3852 19th Street - demolition - A permit was issued during 15 day appeal period, demolition was conducted illegally. A stop work order has been issued on the project, although the building is completely down. Mr. Badiner did review the appeal file. It's on calendar for May 24, 2000.

2) 236-238 Burns Street - Mr. Badiner requested a re-hearing but it was denied. Even if neighbors did not receive the 311 notice, the board did not



agree to re-hear the case. Mr. Badiner has taken steps in the 311 process to make sure that our records are much clearer in the future.

**E. CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED**

7. 2000.261D (CHIN: 575-6897)  
2844-46 GREENWICH STREET, north side between Baker and Lyon Streets, Lot 033 in Assessor's Block 0940 -- Request for Discretionary Review of BPA No. 9919535, proposing to raise the flat roof in the rear half of the building to match the existing level at the front, and construct a roof deck over the entire roof area, with access via a stair and elevator penthouse in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
(Continued from Regular Meeting of April 13, 2000)

**Note: On April 13, 2000, following public testimony, the Commission closed the public hearing and passed a motion of intent to take Discretionary Review and disapprove by a vote of +4 -1. Commissioner Richardson voted no. Commissioners Chinchilla and Martin were absent. Final language 5/4/00.**

SPEAKER(S): None  
ACTION: Take DR and Disapprove Project  
AYES: Theoharis, Antenore, Joe, Chinchilla  
NAYES: Richardson  
ABSENT: Mills, Martin

8. 1999.578C (LeBLANC: 558-6351)  
615 HYDE STREET, northwest corner at Geary Street; Lot 008 in Assessor's Block 0302 -- Request for Conditional Use authorization to install a wireless telecommunications facility in an RC-4 (Residential-Commercial Combined) District, the North of Market Residential Special Use District (Sub-Area #2) and an 80-T Height and Bulk District. The proposed project is the installation of two panel antennas, one on each street frontage, flush mounted to the roof parapet approximately 55 feet above ground level, and base station equipment in the basement of the building as part of a wireless transmission network operated by Sprint Spectrum.

Preliminary Recommendation: Approval with conditions.  
(Continued from Regular Meeting of April 6, 2000).

**Note: On April 6, 2000, following public testimony the Commission closed the public hearing. A motion to approve with the condition that this site can not be used as a co-location site failed to carry by a vote of +3 -2. Commissioners Antenore and Richardson voted no. Commissioners Chinchilla and Theoharis were absent. Substitute motion to disapprove also failed to carry by a vote +2 -3. Commissioner s Joe, Martin and Mills voted no. Commissioners Chinchilla and Theoharis were absent. The item was continued to April 13, 2000.**

(Continued from Regular Meeting of April 13, 2000)

SPEAKER(S): None  
ACTION: Approved - Case will be continued on May 11, 2000  
AYES: Theoharis, Joe, Chinchilla  
NAYES: Antenore, Richardson

- 1999.437D (BANALES: 558-6339)  
250 CLARA STREET, northwest side between 5th and 6th Streets, Lot 206 (formerly Lot 066)





in Assessor's Block 3753 -- A Staff-initiated Discretionary Review of BPA No. 9907464S, proposing to demolish existing auto services structures and construct 16 live/work units in a RSD (Residential/Service Mixed Use District) a Mixed Use Buffer zone, and a 40-X/85B Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.

(Continued from Regular Meeting of March 9, 2000).

**Note: On April 13, 2000, following public testimony the Commission closed the public hearing. A motion to approve with staff findings failed to carry by a vote of +3 -2. Commissioners Joe and Antenore voted no. Commissioners Chinchilla and Martin were absent.**

**SPEAKER(S):** None

**ACTION:** Approved - Case continued to May 11, 2000

**AYES:** Theoharis, Chinchilla, Richardson

**NAYES:** Antenore, Joe

**ABSETN:** Mills, Martin

#### F. REGULAR CALENDAR

9. 2000.026M (SHOTLAND: 558-6308)  
CONSIDERATION OF A RESOLUTION OF INTENT TO INITIATE AN AMENDMENT TO THE RECREATION AND OPEN SPACE ELEMENT OF THE GENERAL PLAN. Pursuant to Planning Code 340, consideration of a Resolution of Intent to Initiate an amendment to Map 4 of the Recreation and Open Space Element of the General Plan to designate the following sites as "Proposed Public Open Space. Acquire for or Convert to Public Open Space":

- a. Brooks Park Extension  
 AB 7075, lots 30, 31  
 236-238 Vernon Street
- b. North Mission Park site  
 AB 3569, lot 19  
 45 Hoff Street

**SPEAKER(S):**

**(+) Mark Solomon**

- He didn't know that this case would be on the agenda.
- He lives about 1 block away from project site.
- Would like to have more green in his neighborhood.
- Would like the police to monitor this park so it doesn't become a place for people to use drugs and kept as a park for children to play.

**ACTION:** Approved to initiate an amendment of the Park and Recreation open space element of the General Plan to designate these two sites as proposed open space.

**AYES:** Theoharis, Antenore, Joe, Chinchilla, Richardson

**ABSENT:** Mills, Martin

**RESOLUTION NO.** 15042

10. 98.635ECBD

(BADINER: 558-6350)



2101 -2125 BRYANT STREET, 700 YORK STREET, 2830 20TH STREET, 2717 19TH STREET, also known as the BRYANT SQUARE PROJECT, Assessor's Block 4080 (Lots 7, 11, 12, and 14), bounded by Bryant, 19th, York and 20th Streets -- Consideration of:

- (1) Conditional Use Authorization under Section 303 for (a) demolition of two Industrial Buildings at 2125 Bryant Street and 2850 York Street under the interim zoning controls for the Industrial Protection Zone; (b) a Planned Unit Development, under Section 304, including authorization to provide required parking on a valet assisted basis, rather than independently accessible spaces; and (c) an exception, under Section 271, from the bulk limitations.  
Recommendation: Approval With Conditions; and

**MOTION NO. 15043**

- (2) Project Authorization under Section 321 for the net addition of 148,000 square feet of office space. Recommendation: Approval With Conditions.

**MOTION NO. 15044**

- (3) Discretionary Review of the demolition of a vacant industrial building at 700 York Street under the provisions of Planning Commission Motion No. 14861. Recommendation: Take Discretionary Review and Approve with Conditions

**MOTION NO. 15045**

This project lies within an M-1 (Light Industrial) and a C-M (Heavy Commercial) District and within a 65-B Height and Bulk District.

The Project would include a total of approximately 159,015 square feet, including approximately 152,840 square feet of office space, approximately 1,500 square feet of retail space, and approximately 4,700 square feet of light industrial space in two new buildings (2125 Bryant Street and 700 York Street) and three renovated buildings (2101 Bryant Street, 2717 19th Street, and 2830 20th Street) on the site.

(Continued from Regular Meeting of April 27, 2000)

**SPEAKER(S) IN SUPPORT OF THE PROJECT:**

**(+) Robert McCarthy - McCarthy and Szwartz**

- Handed out to Commissioners 23 letters of support from neighbors and other organizations including non-profits.

**(+) Daniel Kingsley - SKS**

- They bought Bryant Square over 2 years ago. They thought it would be a unique opportunity to create a mixed use project that would address many of the issues of San Francisco.
- Would incorporate public benefits into this project that would demonstrate that smart growth is acceptable than no growth.
- There are many benefits to the construction and facilities which will be provided with the construction of Bryant Square project.
- The current construction is not in great shape.
- Will provide jobs for San Franciscans.
- SKS is very proud of Bryant Square and would like to commend the planning department for all their hard work.

**(+) Peter Fowe - Fowe Architecture**



- A mixed use project would be a good solution.
- The design has preserved the brick facade.
- The facade of that street is designed to meet the neighborhood's design.
- Interior courtyard has a European character where people can go and eat their lunch, enjoy the nice Mission District weather, etc.

**(+) Robert McCarthy:**

- Has been personally responsible for the approval of more square feet.
- It is not open at night by the request of the neighbors.
- The project will give opportunities for non-profits to pay below market rent.

**(neutral) Norman Maslov**

- He lives on Florida Street and works near Bryant Street
- He supports the outdoor space
- He is opposed of the massive density of the project. There will be 5 floors and he believes this is too high.

**(neutral) Ellen Gavin - Director of Brava Women For the Arts**

- Is midway in the renovation of the York Street Theatre and will open in October.
- Many low income families have had to leave the Mission District. There has been an out of control growth in this area. Many people don't have the means to come and testify at these meetings.
- Has lived and worked in the Mission District for many years.

**(neutral) Carlos Romero - Mission Housing Development**

- Board of Directors have met with SKS and have a neutral comment.

**(+) Jim Gonzalez - Executive Director of the Information Technology Coalition**

- His organization represents the dot com communities.
- This is a historical project where the community, artists and technology can work together.
- The commission is not the gentrification police.
- The commission is not the housing cost police.
- Would like to see high school students have a place to come together and learn and get opportunities.

**(+) Marie Acosta Ponce - Arriba Juntos**

- She is a resident of the Mission District for 17 years.
- When the earthquake hit and the recession hit, the neighborhood changed.
- The two daily newspapers ran sensationalized stories about crime, drugs, prostitution, gang warfare in this community.
- Except for the Mission's community based organization and Latino community leaders, nobody cares about the Mission District.
- The project is a model of planning and cooperation and what we can accomplish together to influence the economic vitality that the Mission District needs.

**(+) West Schell CEO and Chairman of Netsentives**

- would like San Francisco to support technology companies; therefore not force them to move out of the city.
- Believes that SKS is a world-class organization.
- When they signed their lease there were 90 people and have grown to an incredible amount that he now occupies 4 office locations and is still looking for more space.
- These are the kind of projects that San Francisco needs.
- San Francisco needs these types of companies.
- The new digital economy is growing considerably.

**(+) Marlon Mendieta - Arriba Juntos (part of the Digital Mission Colaborative)**

- There are a lot of jobs and companies moving into the Mission District.
- He trains about 200 to 300 people per year in computer training.
- For 35 years they have been training people and placing them in jobs.
- SKS is doing a great service to them.

**(+) Gwen Kaplan - Ace Mailing**





- She is an owner of a business on 16th Street
  - She is a commissioner on the small business commission.
  - She has had a lot of interest in this area.
  - One of the main problems in the Mission District is employment. Where are they going to have their children work.
  - Residents of the district should take opportunity that this project will offer.
- (+) Mauricio Aviles - Arriba Juntos**
- The Mission District has seen many jobs leave the area.
  - Has lived in the Mission District since 1957.
  - Arriba Juntos, for the last 35 years, has been an economic development agency. It is the responsibility of Arriba Juntos to support this economic venture in the Mission District.
- (+) Rosario Anaya - Mission Language and Vocation Center**
- They appreciate that the dot com companies have incorporated Mr. Gonzalez into their plans. Mr. Gonzalez is fully aware of the needs of the community.
  - She believes that this project is 3 years too late.
  - Supports the Bryant Square project.
- (+) James Lee - He owns property in front of the proposed structure**
- He favors this project.
  - The current building would be demolished anyway since it's a building that needed to be brought to current standards.
  - The parking situation in San Francisco is a problem everywhere. The current project will provide 250 parking spaces.
  - The project will provide larger sidewalks, open space, planting trees, PG&E power lines will be placed underground, .etc.
- (+) Lourdes Portillo - Xochitl Films and long time tenant of Bryant Square**
- SKS has been willing to work with the tenants and provide to their needs.
  - Everyday, Mission District residents are being evicted so she believes that SKS' goodwill on providing funds to affordable housing should be supported.
  - Thanks SKS to remain in her community - the Mission District.
- (+) Sally Woefell - Director of Art House**
- The current citywide displacement of artists is an alarming situation.
  - San Francisco artists are an endangered population.
  - Supervisors Yaki and Katz commended SKS on their projects.
  - They would like to see more projects geared to artists and new technologies.
- (+) Charlie Baxter - Chief Executive of E-Translate (an internet based translation company) based in the Mission District.**
- They are a multicultural, diverse people.
  - About 25% of staff, bike to work because they live in the Mission District and would like to stay in the Mission District.
  - Supports the project completely.
- (+) Fred Snyder - David Allen Trust and property owner near the project.**
- He lived in the neighborhood for over 25 years.
  - The district has gone from an abandoned area to one of great economic vitality.
  - As a neighbor he is really pleased to see people wanting to get involved and solve their problems.
  - He commends SKS for taking an interest and come into development of the District.
  - In 1990, there was a commission by the planning department to do some work in the neighborhood. They put together a plan for the neighborhood which created an IP zone which has been expanded going against the neighborhood from what they wanted. The IP Zone would be created from 16th Street back towards 13th Street. From 16th Street backwards it would be multimedia and artists' live/work. This



project is following what the neighborhood wanted.

- SKS has become involved in the community like parking alternatives, transportation issues, etc.

**(+) Jim Chappell - President of SPUR**

- They usually don't take a stand on individual buildings.

- He is a 15 year resident of the Mission District.

- There are shortages of places to work in the City. Rents are incredibly expensive.

- Just came from the Mayor's Campaign 2000 and in summary we need many projects on affordable housing.

- Non-profit companies are terribly being squeezed out.

- From the citywide perspective, they must add to their supply of living and working space.

- Mixed use projects

- Don't say no to development.

**(+) Marty Schneckenber - Creative Express (an advertising business located at 720 York Street).**

- The Bryant Square project replaces a delapidated building.

- The positive outposts of this project outweighs the inconveniences the neighbors will have during construction of this project.

- He is very much in favor of the SKS Bryant Street project.

**(+) Rus Sherman -Fougeron/Sherman Partnership and owner of a commercial loft**

- Has lived in the neighborhood for 12 years.

- Each project needs to be looked at in a case by case basis.

- SKS has hired an international architectural firm to design the project.

- The project provides much needed open space.

- This project deserves the approval of the Commission.

**(+) Mary Wong - She and her husband own Skones.**

- She has had 3 landlords - one of the landlords is SKS.

- SKS is a company that is concerned with their tenants.

- What SKS proposes, they keep their word.

- When SKS does construction they do their best to have the least inconvenience to their surrounding neighbors.

- Supports this project and wants Commissioners to give it a chance.

**(+) Ashley David - Bay Area VAC (non-profit organization for media arts).**

- Part of the coalition of digital mission.

- They are in favor of projects that provide low income people to attain better paying jobs.

- Supports the project.

**(+) Alma Robinson - California Lawyers for the Arts**

- There are constant calls of people that have been evicted.

- They are trying to work with the developer to find place for these misplaced artists.

- They will be charged a low market rate rent.

**(neutral) Judy West - Lives and works in the neighborhood.**

- Believes that there have been accommodations made to many of the artists and non-profits.

- Would like to have non-profits be housed in this project.

**(+) Bob Planthold - Senior Housing Network and single parent**

- The old building is not accessible.

- He would like to see height, bulk and mass reconsidered.

- He thinks that people are trying to control the growth of this City.

- Parents always want to do as much as they can for their children and have them





grow strong so they can face problems and situations.

**(+) Bill Cril - Operations Manager for Swinerton and Walberg Builders**

- They have many projects in the city and plan to hire local residents to work on the project.
- The impacts construction will have on neighborhoods have been discussed with SKS to be minimized as much as possible.

**(-) Lizette Hernandez - Mission Economic Development Association**

- This association has been in this neighborhood for over 25 years, providing technical assistance to the small business community. They have also been involved several community planning projects.
- The mission district is based on a predominantly working class latino community.
- Recently the Mission has faced an onslaught of poorly planned development projects that have failed to work with the low-income working residents. This has caused an outstanding displacement of renters.
- They find the statements to be false of the project sponsor.
- They are trying to launch a program for these low income people to own their own homes. The only way to deal with displacement is for people to own their own homes.
- This is a social and environmental injustice. The project is taking away open space.

**(-) Antie Kan - CABS (Community Alternatives for Bryant Square).**

- They found out about this project through rumors.
- The neighborhood is extremely diverse. The more diverse a neighborhood the harder it is to rally up people for a common cause, but in this case it was easy because many people are against it.
- Project is too big. Even the commercial buildings in the neighborhood are smaller than the height of the current building.
- Many of these neighbors have lived here for many years.
- The lack of respect that the developer has shown has been able to group together many of the neighbors and fight against the project.
- They talked with over 1,000 neighbors and non mentioned any benefits to them with the construction of this project.
- Please listen to the concerns of the neighbors.

**(-) Moureen Neese - lives on 20th and Bryant.**

- Moved into the neighborhood because she is hispanic and she is an artist.
- The project is a size of a downtown office building in the middle of the Mission District.
- She wanted to make an addition to her home yet she wasn't allowed because the construction would have to be the same height as the other houses yet the Bryant Street project is much taller than the rest of the neighbor's homes.

**(-) Jonathan Youtt -**

- They want to build community through art and education.
- He wasn't notified of the construction otherwise he would be able to provide SKS with information on so many organizations who would be able to speak of their concerns and needs.
- Part of his organization called YEA (Youth Enterprise in Arts) helps youth of the neighborhood with jobs and apprenticeship programs.
- SKS never asked his organization for input on youth organizations and find out what exactly these organizations might need.

**(-) Peter Southerland - lives about 2 blocks from the project**

- He is a 12 year resident of the neighborhood. He was never notified of the project.
- He made some research and came up with some statistics: Within the last year, he counted 197 new live/work projects near the project site.
- Half of these live/work projects are used for business.



- He looked at all the project that are proposed and counted 192.
- He understands that the Commission does not vote on projects that have been converted. He did some research and came up with 240 sf that have been converted or are under conversion.
- He has heard on the radio that many dot com companies are not going IPO because of the market therefore are not looking for space.
- (-) Able Santana - has lived in the neighborhood for many years.**
  - He has lived in the neighborhood for 38 years.
  - He believes that the project will bring in more people and more congestion.
  - When they start building there will be problems with construction.
- (-) David Naltz - Powerpoint presenter**
  - They are here not as an adversarial group. They are here to bring constructive solutions..
  - They do appreciate some of the work that the project sponsor has provided but it's not enough.
  - They are here to represent people that couldn't afford to be here in the middle of the day.
  - There is a need for this space but the Mission is not the place for it.
- (-) Richard Rustico - former tenant of the area that SKS is developing.**
  - Presented a letter where SKS provided information that the sandblasting would have the least amount of interruption.
  - Presented pictures of sandblasting done on Sunday.
- (-) Richard Marquez - Mission Agenda**
  - Third generation San Franciscan
  - He was born, lived and labors in the Mission District.
  - He believes that this case is a "done deal".
- (-) Sue Hester - CJAH**
  - The staff report on this case talks about architecture but not about affordable housing.
  - Rezone first, get some standards.
  - Real people and tenants will be affected.
  - This project does not follow the open space element.
  - There are no standards in this neighborhood because zoning hasn't been updated since the 1950's.
  - Real people are going to be heard.
- (-) James Corcoran - 2121 Bryant Street**
  - He lives in the area where now it's referred to as Bryant Square
  - The misplaced tenants were not aware of the proposed SKS "Bryant Square concept". Tenants were served a 30 day eviction notice as asked to leave.
  - This proposed project has a monstrous architecture.
  - The proposed project regardless of the political donation ramifications, is a classic example of orchestrated greed.
- (-) Jul Neamer - lives across the street from the proposed project.**
  - The building as it is presently proposed is too large and bulky.
  - San Francisco is being built too quickly.
  - Presented an article from the Wall Street Journal of 5/3/00 - San Francisco Landlords Get Picky About Dot-Coms. This is a "Dot.com" building.
  - Would like to have SKS to come back to the board and bring the project down in scale.
- (-) Ken Owens - has lived in this neighborhood for over 20 years.**
  - How does the size of the project work with the neighborhood.
  - Parking is limited in the neighborhood already. Parking at the new structure is not enough for all the people who will be working there.



- He would like to have the project to be brought down in scale by 20 to 30 percent.
- (-) **Mary Bobbit - lives across the street from proposed project for about 15 years.**
  - Showed photographs of the neighborhood specifying that this is a residential neighborhood..
  - This is a very residential neighborhood.
  - Believes that this structure is too large for the neighborhood.
- (-) **Mark Solomon - Computer Programmer**
  - He works for a dot com company
  - The culture of the Mission has always been diverse, he doesn't know why some people call it a waste land.
  - He moved to the Mission District about 11 years ago.
- (-) **Tom Wetzel -**
  - He would like to talk mostly about the transportation impact.
  - He has worked in the software industry and for dot com companies
  - The only part of the Mission that would support this type of construction would be near BART and it is not near BART.
  - There will be many cars dumped in the Mission District which will make it unsafe for children.
- (-) **Amie Fishman - lives and works about 5 blocks away from project site.**
  - She is frustrated because she feels that this is a done deal and would like to the Commission to listen to people's comments and views.
  - There is a housing crisis and not dot com's crisis.
  - Please listen to the speakers and their concerns.
- (-) **Antonio Diaz - PODER (People Organizing to Demand Environmental Rights)**
  - Read a letter from Bryant Elementary School which is located 1 block away from proposed project.
  - The school is concerned with the size and bulk of the proposed Bryant Street project.
  - The proposed project will impact many people in the neighborhood by causing evictions..
- (-) **Dan Ritz - Mission Economic Development Association**
  - Digital Mission has placed many people in jobs
  - This development fragments the community instead of being a part of it.
- (-) **Luis Granados - Mission Economic Development Association**
  - Displacement is a real problem.
  - There are plenty of jobs, people need places to live.
  - The only colored people that go into the dot com company who is tenant of his building, are the janitors.
  - Please reconsider and think of who this project benefits and it's not the neighborhood.
- (-) **Chris Daley - Coordinator of Mission Agenda**
  - This organization is for the rights of low income renters.
  - He would like to see projects build but not by displacing people.
  - The Mission District has the more eviction than any other neighborhood.
- (-) **Oscar Grande - PODER**
  - He was born and raised in the Excelsior district
  - There was a lack of communication and notification to the people in the neighborhood.
  - Many neighbors living just across the street did not know of the development. Their organization went door to door asking people if they knew of the project and they did not.
- (-) **Eduardo Melendez - Sasha Body Shop - lives in the neighborhood**



- There will be about 45 families who will be misplaced
  - Please reconsider project.
  - (-) **Eric Quesada - PODER**
    - When will the Commission and Planning Department make decisions that are beneficial to the neighborhood.
    - Every day he deals with people who are being evicted
    - He is here to say NO to this project.
    - This is vitious displacement of people and communities.
    - People are living in crowded areas because of the lack of housing.
  - (-) **Heidi Rivera - has lived in the neighborhood for many years.**
    - Neighbors were not aware of this project.
    - Latinos do not benefit from this development.
  - (-) **Corinda Vintel - lives in the neighborhood**
    - She believes that the neighborhood has grown and progressed.
    - When she found out that SKS was going to construct a building made out of brick to suposedly match the neighbor homes she was extremely upset since the houses in the neighborhood are victorian flats.
    - This project is not the only place where artists can learn and practice.
    - There was no town meeting organized.
  - (-) **David McGuire -Resident of the neighborhood.**
    - There seems to be a white invasion in the Mission District
    - Silicon Valley, when it was being created, lied about many things. Companies dumped toxic waste in people's back yards, drains, etc.
    - The Mission is the last livable neighborhood in San Francisco.
- ACTION: **Motion to Approve with Staff Conditions**  
 AYES: **Theoharis, Chinchilla, Joe, Richardson**  
 NAYES: **Antenore**  
 ABSENT: **Mills, Martin**  
 MOTION Nos. **15043, 15044 and 15045**

11. 2000.002C (MIRAMONTES: 558-6348)  
**1415 VAN NESS AVENUE**, west side between Austin and Bush Streets, Lot 4 in Assessor's Block 666 -- Request for Conditional Use Authorization under Planning Code Section 209.8(d) for the provision of 4,700 square feet of office space located above the ground floor on a site located within an RC-4 (Residential-Commercial Combined, High Density) District, 130-V and E Height and Bulk Districts, the Van Ness Special Use District and the Special Sign District for Illumination.  
 Preliminary Recommendation: Approval with conditions  
 (Continued from Regular Meeting of April 27, 2000)

## SPEAKER(S):

**(+) Ross Leon - Project Architect**

- During the time that the property was used as a restaurant, the upper floor was used as a storage area.
- Previously the property was used as a car dealership.

ACTION: **Approved**  
 AYES: **Theoharis, Antenore, Joe, Chinchilla, Richardson**  
 ABSENT: **Mills, Martin**  
 MOTION NO. **15046**





12. 1999.824C (KOONTS: 558-6372)  
722 BROADWAY STREET, north side between Powell and Stockton Streets, Lot 8 in Assessor's Block 147 -- Request for Conditional Use authorization to convert a vacant store on the ground floor of a two-story building with dwelling units above to a take-out food establishment under Section 810.45 of the Planning Code in the Chinatown Community Business District (CCB), Washington-Broadway Special Use District and a 65-N Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.  
SPEAKER(S): **None**  
ACTION: **Approved**  
AYES: **Theoharis, Antenore, Joe, Chinchilla, Richardson**  
ABSENT: **Mills, Martin**  
MOTION No. **15047**
13. 2000.184C (KIM: 558-6290)  
350 JUDAH STREET, northeast side, between 8th and 9th Avenues; Lot 022 in Assessor's Block 1763 - Request for Conditional Use authorization to allow the installation of eight panel antennas flush mounted onto the north side facade of an existing mixed-use building. The top of the antennas will not exceed the height of the existing structure and will be painted to match the building. In addition, an equipment shelter will be installed in the basement. There will be a cable connection between the equipment shelter and the antenna arrays, which will be routed up the north side of the building and enclosed in a cable tray painted to match the building. The facility is a part of a wireless telecommunications network operated by Nextel Communications, pursuant to Planning Code Section 711.83, in an NC-2 (Small-Scale Neighborhood Commercial District) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions  
  
SPEAKER(S): **None**  
ACTION: **Approved with Conditions**  
AYES: **Theoharis, Antenore, Joe, Chinchilla, Richardson**  
ABSENT: **Mills, Martin**  
MOTION NO. **15048**
14. 2000.036C (CHIN: 575-6897)  
2350 TURK STREET, northwest corner at Masonic Avenue; Lot 006 in Assessor's Block 1107: -- Request for Conditional Use authorization pursuant to Section 209.6 of the Planning Code to install a total of two antennas and a base transceiver station on an existing four-story building known as the Gershwin Theater at the University of San Francisco as part of Sprint's wireless telecommunications network in an RH-2 (Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with Conditions  
SPEAKER(S): **None**  
ACTION: **Approved with Conditions**  
AYES: **Theoharis, Antenore, Joe, Chinchilla, Richardson**  
ABSENT: **Mills, Martin**  
MOTION NO. **15049**

#### G. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately ~~4:30~~ **P.M. 6:53 p.m.** the Planning Commission Convened into a Special Discretionary Review (Dr) Hearing.



15. 1999.243D (BANALES: 558-6339)  
1247 HARRISON STREET AND 428-8TH STREET, south side of Harrison between 8th and 9th Streets, Lot(s) 063, 065, 066 in Assessor's Block 3757 -- Request for discretionary review on an application that is proposing to demolish the existing building on site and construct three new live/work buildings containing a total of 64 units. The proposed project is in an Industrial Protection Zone, a Service/Light Industrial (SLI), District, and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.  
 (Continued from Regular Meeting of April 13, 2000)

## SPEAKER(S):

**(+) Sue Hestor - Coalition for Jobs, Arts and Housing.**

- She was going to get a letter from the developer but she never received it.
- The site has been used for buses for a long time. She asked the property owner, where the buses would go, because she didn't think that this would cause a transit problem.
- She doesn't think that this would be a good location for home since it has a freeway ending and there is a gas station right across the street.
- She wants to know if Coach USA is being kicked out or if they are willingly moving out.
- This is a good location for a transit yard.

**(-) Alice Barkley - Representing project sponsor**

- The site is used for employees of Coach USA not for the buses.
- Coach USA will relocate and they don't have any control over that.
- The bus drivers need a place to park so when they start working early in the morning or late at night and can't take public transportation.
- The project will allow for bus drivers to park their cars.
- Most of the parking on the site is not necessarily just for drivers it is also for office employees.
- Coach USA will be moving no matter what.
- This is a grandfather project and she believes it is appropriate.
- Salvation Army is next door to project site.

**(-) Joel Casey - Residential Builders**

- This project is 64 units.
- The site was vacant before there was a parking lot.
- At this site, there is over \$1 million of contaminated soil to be cleaned up so it's a positive thing that this kind of contamination will be removed.

**ACTION:** Public Hearing closed. Motion to take Discretionary Review failed by a vote of +3-2. The matter was subsequently continued to May 11, 2000.

**AYES:** Theoharis, Richardson, Chinchilla

**NAYES:** Joe, Antenore

**ABSENT:** Mills, Martin

16. 2000.226D (JONES:558-6477)  
3843 - 22ND STREET, south side between Castro and Noe Streets, Lot 032 in Assessor's Block 3623 - Request for Discretionary Review of Building Permit Application NO. 9925096 to construct a two-story rear horizontal addition to an existing two-story single family dwelling in RH-2 (House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit Application as submitted.

## SPEAKER(S):



**(+) Rolf Tueller:**

- The neighborhood has not been informed of the proposed addition.
- He was not properly notified about the hearing. He only heard about it a few days ago.
- The property owner stated that his construction would have little impact on Mr. Tueller. Mr. Tueller would have no sunshine into his home and that is large impact to him.
- The design of the home was redesigned and the neighbors were not notified of these changes.

**(-) Norman Peterson - property owner**

- Showed neighbor's back yard which shows back porches which are between 7 and 8 years.
- Home was purchased in 1905 by Mr. Peterson's grandfather.
- The revised proposed design has received 11 letters in support of the project.

**ACTION: Do not take Discretionary Review and approve as submitted.**

**AYES: Theoharis, Antenore, Joe, Richardson, Chinchilla**

**ABSENT: Mills, Martin**

17. 2000.116D (MEHRA: 558-6257)  
**128-26TH AVENUE**, east side between Lake Street and El Camino Del Mar, Lot 033 in Assessor's Block 1333 -- Request for Discretionary Review of BPA No. 9922449, proposing to change the materials on the south side of the building from tongue and groove (T & G) siding to exterior grade plywood siding in an RH-1(Residential, House, One-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the building permit application.

**SPEAKER(S):**

**(+) Frank Mahony**

- Doesn't think that the information in the DR is true.
- Has written about 15 letters to the Reuben and Alter firm.
- He and his family left on vacation and construction began at the owner's property.
- He believes that the commissioners have been misled.

**(-) Joel Yodowitz - Reuben and Alter**

- Mr. Mahony mentioned about affecting his siding by putting scaffolding and Mr. Mahony had Mr. Louie's contractor arrested.
- Mr. Mahony asked the Louie's for \$10,000 to protect Mr. Mahony from damage and this is just unacceptable.

**(-) Frank Mahony**

- Mr. Yodowitz said that he no longer represented the Louie's.

**ACTION: Do not take Discretionary Review and approve as submitted**

**AYES: Theoharis, Antenore, Joe, Chinchilla, Richardson**

**ABSENT: Mills, Martin**

18. 2000.113D (MILLER: 558-6344)  
**1552 POLK STREET**, southeast corner at Sacramento Street, Lot 1 in Assessor's Block 644 -- Request for Discretionary Review of BPA 9925357 for tenant improvements to a portion of a building (approximately 1,700 square feet of floor area) for use as a "Blockbuster" video rental establishment.  
 Preliminary Recommendation: Take Discretionary Review and approve with conditions

**SPEAKER(S):**



**(-) Richard Burk**

- Provided petitions and 3,000 signatures that are opposed to Blockbuster moving in.
- Feels that there will be a traffic problem and congestion.
- On Polk street, there used to be two lanes going one way and two lanes going the other. Now there is only one lane going in both directions.
- There are bike lanes near City Hall but stop near project sight then further down start again. He feels that with the traffic, cyclists will be endangered.
- Blockbuster wants to create an ugly street sign.
- Chain stores are not welcome here.

**(-) Chris Ditney**

- Presented letters from 4 supervisors that are not in favor of this project.
- Believes that the traffic will be terrible.
- How many parking tickets does the Department of Traffic have to give out to educate people not to double park.

**(-) Bruce Kissler**

- Owns a video store in the area
- There are other video stores within a 3 block radius.
- Many of his customers came to him mentioning they are against this project.

**(-) Ray Doyle**

- Believes that the cyclists could be in danger with the increase in traffic.
- Many, many signatures have been presented against this project.
- The neighborhood doesn't want chain stores.
- Double parking is common with chain video stores.

**(-) Barry (last name not clear) - resident**

- Does not want a blockbuster in the neighborhood.
- It will bring many problems to the neighborhood.

**(-) Casey Earls - resident**

- Likes the neighborhood because it has a lot of character.
- Blockbuster will not bring anything to the neighborhood.

**(-) Claire McGee - past president of Russian Hill Neighbors**

- Wants to promote small businesses.
- As a neighborhood association, they oppose this project.

**(-) Stephen Cornell - director of the Polk District Merchants Association**

- Owner of Brownies Hardware - a family owned business
- 51.2% of San Francisco residents take cars
- Polk Street has been designated a key traffic corridor therefore they have eliminated double parked commercial vehicles.
- He has had to schedule deliveries to 4:30 a.m.
- If restrictions are not carried forward, what will the Commission do about that.

**(-) Patricia Vaughney**

- The department continues to ignore the people speaking out.
- Should put very serious conditions on this project.

**(-) Ruth (last name not clear) - lived in Polk Street for 20 years.**

- Having Blockbuster video there will not do anything good to the neighborhood.

**(+) Jim Reuben - Reuben and Alter**

- There are many people that follow Blockbuster around, in opposition whenever they try to open other stores.
- Muni and DPT are no friends of Blockbuster since they are departments concerned with traffic. And ask what would be different about this location?
- Many stores are ok with Blockbuster - there were 24 businesses that support Blockbuster.





**(+) Daniel Pino**

- Read a letter from Larry Dispain, president of the Alumni Board and member of Sacred Heart/Cathedral High School Board of Regents.
- Mr. Dispain supports Blockbuster.

**(+) John Lee - Coach of Sacred Heart/Cathedral High School**

- Supports Blockbuster

**(+) Samuel Walters**

- He works hard and he works late
- Appreciates that Blockbuster is open late and he can rent movies.

**(+) Stuart Hyatt - Owner of the bar next door.**

- He has not made a formal request to expand to the location where Blockbuster wants to open.
- The neighbors will benefit from having a Blockbuster store.
- Blockbuster donates to many worthy causes.

**(+) Theodore Donalson - property manager for the project site.**

- He was approached by many fast food retailers which offered more money than Blockbuster did. - He did not want to accept leasing to food retailers because of many other substantial problems.
- He believes that Blockbuster would be a good tenant.

**(+) Don Brady -**

- Resident of the area for 20 years. He looks forward to having Blockbuster in the neighborhood.

**(+) Mario Sazo**

- Coordinator of Yough Summer Program
- Blockbuster has provided programs for youth sports programs.

**ACTION: Public Hearing closed. Motion to not take Discretionary Review and approve as submitted failed by a vote of +3-2 (Commissioners Joe and Antenore voted no). The matter was continued to May 11, 2000.**

**AYES: Theoharis, Chinchilla, Richardson**

**NAYES: Joe, Antenore**

**ABSENT: Mills, Martin**

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MAY 18, 2000.**

**ACTION: Approved**

**AYES: Theoharis, Antenore, Martin, Chinchilla, Richardson**

**ABSENT: Mills, Joe**

**Adjournment: 8:46 P.M.**



# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chamber - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, May 11, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

OCT - 3 2000

SAN FRANCISCO  
PUBLIC LIBRARY

PRESENT: Theoharis, Antenore, Joe, Chinchilla, Martin, Richardson  
ABSENT: Mills

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:37 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning, Larry Badiner - Zoning Administrator, Paul Rosetter, Pedro Arce, Roger Herrera, Joan Kugler, Kenneth Chin, Elizabeth Gordon, Jim Miller, Ellen Miramontes, Catherine Keylon, Matt Snyder, Augustine Fallay, Linda D. Avery - Commission Secretary.

### A. ITEMS PROPOSED FOR CONTINUANCE

1. 2000.015D (KEYLON: 558-6613)  
860-62 48TH AVENUE, north side between Cabrillo and Fulton Streets, Lot 026A in Assessor's Block 1690 -- Request for Discretionary Review of BPA No. 9804669 & 9804670, proposing to demolish a single-family dwelling and construct a new three-story, two unit building in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.  
**WITHDRAWN**
2. 1999.571C (ZWIERZYCKI: 558-6263)  
1344 OCEAN AVENUE, northeastern corner of Granada Avenue, Lot 16 in Assessor's Block 3198 -- Request for Conditional Use authorization under Section 711.83 of the



Planning Code to install a total of nine panel antennas on the roof of a four-story apartment building; and storage and maintenance of related equipment in an existing storage room within the ground-floor garage. Storage of equipment on ground-floor will not result in elimination of parking stalls. The antennas and equipment storage are part of a wireless communication network in an NC-2 (Neighborhood-Commercial, Small-Scale) District; Ocean Avenue Fast Food Subdistrict; and 40-X Height/ Bulk District.

Preliminary Recommendation: Disapprove

(Continued from Regular Meeting of April 6, 2000)

**(Proposed for Continuance to May 25, 2000 July 6, 2000)**

**SPEAKER(S): None**

**ACTION: Approved**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

3. 1999.668E (BLOMGREN: 558-5979)  
**38-44 TEHAMA STREET/543 HOWARD STREET**, Appeal of a Preliminary Negative Declaration--Assessor's Block 3736, Lot 111. The proposed project involves improvements to a three story building and construction of 23,000 square feet on the fourth and mezzanine levels. The renovated and new space is proposed for office use. With construction of the additional story and mezzanine level, the building would be approximately 64 feet, 22 feet taller than the existing structure. The 14,500 square-foot project site is composed of one lot in the middle of a block bordered by Howard Street to the north, First Street to the east, Tehama Street to the south, and Second Street to the west. The site has frontages on Howard and Tehama Streets. The proposed renovated and enlarged building would contain approximately 73,000 gross square feet (gsf). The structure would not provide off-street parking. The project would also include two off-street freight loading spaces.

(Continued from Regular Meeting of April 27, 2000)

Preliminary Recommendation: Uphold Negative Declaration

**(Proposed for Continuance to May 25 ,2000)**

**SPEAKER(S): None**

**ACTION: Approved**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

4. 1998.604EMZCV (BEATTY: 558-6163)  
**Mission/Steuart Hotel**, Northeast corner of Mission and Steuart Streets, Lots 6, 7, 8, 9 and 17 in Assessor's Block 3714--Consideration of the authorizations listed below in order to allow the construction of a hotel ranging in height from 40 feet to approximately 84 feet, with approximately 200 to 210 rooms, and with accessory retail, restaurant and meeting room space on City-owned property currently used as a lay-over yard for San Francisco Municipal Railway (MUNI) buses and proposed to be leased my MUNI to the hotel developer who will lease the hotel to a hotel operator.

Preliminary Staff Recommendation: Approval

**(Proposed for Continuance to June 1, 2000)**

**SPEAKER(S): None**

**ACTION: Approved**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

5. 1998.604E (NAVARRETE: 558-6163)  
**Certification of the Final Environmental Impact Report** prepared for the proposed Project



pursuant to the California Environmental Quality Act (CEQA) as accurate and complete. The "Project" consists of General Plan and Zoning Map amendments, a finding of consistency with the General Plan, as it is proposed to be amended, for a change of use on the Project Site (a City-owned property) from a public use (MUNI bus layover) to a private use (hotel, retail and restaurant); a Conditional Use authorization for a hotel use, a granting of a Parking Variance, and other authorizations to facilitate the construction of the hotel project.

Preliminary Staff Recommendation: Approval.

**(Proposed for Continuance to June 1, 2000)**

**SPEAKER(S): None**

**ACTION: Approved**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

6. 1998.604E (NAVARRETE: 558-6163)  
Adoption of findings pursuant to CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

Preliminary Staff Recommendation: Approval.

**(Proposed for Continuance to June 1, 2000)**

**SPEAKER(S): None**

**ACTION: Approved**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

7. 1998.604M (BEATTY: 558-6163)  
Application under Planning Code Section 340 to amend Map 2 (Height and Bulk Plan) of the Northeastern Waterfront Element of the General Plan to change the designation of the subject site (Lots 6, 7, 8, 9 and 17 of Assessor's Block 3714) from O.S. (Open Space) to 84-E designation.

Preliminary Staff Recommendation: Approval.

**(Proposed for Continuance to June 1, 2000)**

**SPEAKER(S): None**

**ACTION: Approved**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

8. 1998.604Z (BEATTY: 558-6163)  
Application under Planning Code Section 302 to amend the official zoning maps of the City and County of San Francisco to change the height and bulk district classification of Lot 17 of Assessor's Block 3714 from O.S. (Open Space) to 84-E and to change the use district classification for the subject site (Lots 6, 7, 8, 9 and 17 of Assessor's Block 3714) from a P (Public) district to a C-2 (Community Business) district.

Preliminary Staff Recommendation: Approval.

**(Proposed for Continuance to June 1, 2000)**

**SPEAKER(S): None**

**ACTION: Approved**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

9. 1998.604K (BEATTY: 558-6163)  
Determination, pursuant to Planning Code Section 295, of whether the proposed project's





shadow would result in any adverse impact on the use of the adjacent property known as Embarcadero Plaza II-South (Justin Herman Plaza South) under the jurisdiction of the Recreation and Park Commission.

Preliminary Staff Recommendation: Approval.

**(Proposed for Continuance to June 1, 2000)**

**SPEAKER(S): None**

**ACTION: Approved**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

10. 1998.604R (BEATTY: 558-6163)

Consideration of a Finding of Consistency with the General Plan, as it is proposed to be amended, for the change of use of the above-referenced City-owned properties from public use for MUNI to a private hotel use on property to be leased to the hotel developer and operator.

Preliminary Staff Recommendation: Approval.

**(Proposed for Continuance to June 1, 2000)**

**SPEAKER(S): None**

**ACTION: Approved**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

11. 1998.604C (BEATTY: 558-6163)

Application for a conditional use authorization under Planning Code Section 303, which provides procedures and required findings for conditional use authorization, and under Planning Code Section 216(c), which requires a conditional use authorization for hotels in the new "C-2" district, with exceptions from the bulk limitations of the 84-E height/bulk district pursuant to Planning Code Section 271.

Preliminary Staff Recommendation: Approval

**(Proposed for Continuance to June 1, 2000)**

**SPEAKER(S): None**

**ACTION: Approved**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

Concurrent with the Planning Commission hearing on the authorizations listed above, testimony will be heard by the Zoning Administrator on the following variance application:

12. 1998.604V (BEATTY: 558-6163)

Application under Planning Code Section 305 for an off-street parking variance for the proposed approximately 200 to 210 room hotel project described above. Planning Code Section 151 requires 30 to 34 independently-accessible off-street parking spaces for the proposed hotel, restaurant and retail uses in the proposed C-2 zoning district. The applicant proposes to provide nine independently-accessible parking spaces on the project site, which can accommodate up to 17 vehicles through a valet operation.

Preliminary Staff Recommendation: Approval.

**(Proposed for Continuance to June 1, 2000)**

**SPEAKER(S): None**

**ACTION: Approved**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**



13. 2000.238DDD (MEHRA: 558-6257)  
117 PARKER AVENUE, west side between Euclid Avenue and Geary Boulevard, Lot 003 in Assessor's Block 1064 -- Request for Discretionary Review of BPA No. 9912789 & 9912791, proposing to demolish the existing single-family dwelling and construction of a new two-story over garage two-family dwelling in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.  
**(Proposed for Continuance to June 8, 2000)**  
 SPEAKER(S): None  
 ACTION: Approved  
 AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson  
 ABSENT: Mills
14. 1999.310E (NAVARRETE: 558-5975)  
322-6TH STREET, Appeal of Negative Declaration - Assessor's Block 3754 Lot 3. The proposal is to demolish one existing industrial/commercial warehouse building on the site and construct one building containing 15 live/work units and 15 off-street parking spaces within a 3-story structure (including mezzanine approximately 50 feet in height. The project site is located in a Service/Light Industrial/Residential (SLR) Mixed Use District, within a 50-X height/bulk district. The proposed project site is within a Mixed Use Housing Buffer area, adopted by the Planning Commission as in interim zoning control.  
 Preliminary Recommendation: Uphold Negative Declaration.  
 (Continued from Regular Meeting of April 13, 2000)  
**(Proposed for Continuance to June 22, 2000)**  
 SPEAKER(S): None  
 ACTION: Approved  
 AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson  
 ABSENT: Mills

## B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKER(S): Patricia Vaughey  
 Would like to have Commissioners look closely at the correspondence in



their packets, whether it be pro or con, since last week there were 2 cases where it appeared that there were a lot of hear/say testimony. The department said that there was support from the public yet there were letters which stated there wasn't support.

**Lloyd Schlagle**

Regarding Item 23 - 1247 Harrison Street and 428 8th Street - This large old building site is in an industrial area and provides covered parking for cars and buses and a work area for maintenance workers. Across the street. The site is proposed for housing and housing is not needed here since there are other residential areas. This area should be proposed for work purposes. The proposed housing will be a disruption to the work area.

**C. COMMISSIONERS' QUESTIONS AND MATTERS**

15. Consideration of Adoption - draft minutes of 4/13/00 and 4/27/00.

ACTION: **Approved**

AYES: **Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

ABSENT: **Mills**

16. Commission Matters

**Commissioner Theoharis** - She would like to see just 5 Discretionary Review cases heard per Commission Meeting. The public needs to have the Commissioners' full attention and if there are too many, it becomes quite difficult.

**Commissioner Antenore**: - Regarding the Brannan Square Project - Would like to request from the director a statement as to the status on the issues regarding payment of fees of affordable housing, transportation and child care.

**D. DIRECTOR'S REPORT**

17. Director's Announcements.

**Gerald Green**:

1) The department will try to schedule only 5 new Discretionary Review cases. Although, sometimes some cases are continued to a particular date, therefore, it may come to more than 5.

2) Recognized Mr. Paul Rosetter for his retirement.

18. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

**BOS**: None

**BOA**: None

19. TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PILOT PROGRAM (TCSP) AUTHORIZATION. A resolution confirming that the Director has the authority to enter into an agreement with Caltrans regarding the Planning Department's TCSP grant for planning in the Balboa Park Station Area.

SPEAKER(S): **None**

ACTION: **Approved**

AYES: **Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**



ABSENT: Mills  
RESOLUTION NO. 15052

E. CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED

20. 1999.437D (BANALES: 558-6339)  
250 CLARA STREET, northwest side between 5th and 6th Streets, Lot 206 (formerly Lot 066) in Assessor's Block 3753 -- A Staff-initiated Discretionary Review of BPA No. 9907464S, proposing to demolish existing auto services structures and construct 16 live/work units in a RSD (Residential/Service Mixed Use District) a Mixed Use Buffer zone, and a 40-X/85B Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.  
(Continued from Regular Meeting of May 4, 2000).  
**Note: On April 13, 2000, following public testimony the Commission closed the public hearing. A motion to approve with staff findings failed to carry by a vote of +3 -2. Commissioners Joe and Antenore voted no. Commissioners Chinchilla and Martin were absent.**  
**Note: On May 4, 2000, a motion to approve failed to carry by a vote of +3 -2. Commissioners Antenore and Joe voted no. Commissioners Mills and Martin were absent.**  
SPEAKER(S): None  
ACTION: **Approved**  
YES: **Theoharis, Martin, Chinchilla, Richardson**  
NAYES: **Joe, Antenore**  
ABSENT: **Mills**
21. 2000.113D (MILLER: 558-6344)  
1552 POLK STREET, southeast corner at Sacramento Street, Lot 1 in Assessor's Block 644 -- Request for Discretionary Review of BPA 9925357 for tenant improvements to a portion of a building (approximately 1,700 square feet of floor area) for use as a "Blockbuster" video rental establishment.  
Preliminary Recommendation: Take Discretionary Review and approve with conditions  
(Continued from Regular Meeting of May 4, 2000)  
**Note: On May 4, 2000, following public testimony the Commission closed the public hearing. A motion to take discretionary review and approve with conditions failed to carry by a vote of +3 -2. Commissioners Antenore and Joe voted no. Commissioners Mills and Martin were absent.**  
SPEAKER(S): None  
ACTION: **Motion to Approve failed to carry. Continued to 6/1/00.**  
AYES: **Theoharis, Chinchilla, Richardson**  
NAYES: **Joe, Martin, Antenore**  
ABSENT: **Mills**
22. 1999.578C (LeBLANC: 558-6351)  
615 HYDE STREET, northwest corner at Geary Street; Lot 008 in Assessor's Block 0302 -- Request for Conditional Use authorization to install a wireless telecommunications facility in an RC-4 (Residential-Commercial Combined) District, the North of Market Residential Special Use District (Sub-Area #2) and an 80-T Height and Bulk District. The proposed project is the installation of two panel antennas, one on each street frontage, flush mounted to the roof parapet approximately 55 feet above ground level, and base station





equipment in the basement of the building as part of a wireless transmission network operated by Sprint Spectrum.

Preliminary Recommendation: Approval with conditions.

(Continued from Regular Meeting of May 4, 2000).

**Note: On April 6, 2000, following public testimony the Commission closed the public hearing. A motion to approve with the condition that this site can not be used as a co-location site failed to carry by a vote of +3 -2. Commissioners Antenore and Richardson voted no. Commissioners Chinchilla and Theoharis were absent. Substitute motion to disapprove also failed to carry by a vote +2 -3. Commissioners Joe, Martin and Mills voted no. Commissioners Chinchilla and Theoharis were absent. The item was continued to April 13, 2000.**

**Note: On May 4, 2000, a motion to approve with conditions failed to carry by a vote of +3 -2. Commissioners Antenore and Richardson voted no. Commissioners Mills and Martin were absent.**

**SPEAKER(S): None**

**ACTION: Approved**

**AYES: Theoharis, Joe, Martin, Chinchilla**

**NAYES: Antenore, Richardson**

**ABSENT: Mills**

**MOTION NO. 15053**

23. 1999.243D (BANALES: 558-6339)

**1247 HARRISON STREET AND 428-8TH STREET**, south side of Harrison between 8th and 9th Streets, Lot(s) 063, 065, 066 in Assessor's Block 3757 -- Request for discretionary review on an application that is proposing to demolish the existing building on site and construct three new live/work buildings containing a total of 64 units. The proposed project is in an Industrial Protection Zone, a Service/Light Industrial (SLI), District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.

(Continued from Regular Meeting of May 4, 2000)

**Note: On May 4, 2000, following public testimony, the Commission closed the public hearing. A motion to not take discretionary review and approve the proposal failed to carry by a vote of +3 -2. Commissioners Antenore and Joe voted no. Commissioners Mills and Martin were absent.**

**SPEAKER(S): None**

**ACTION: No Discretionary Review. Motion to approve failed to carry. Continued to 6/1/00**

**AYES: Theoharis, Chinchilla, Richardson**

**NAYES: Antenore, Joe, Martin**

**ABSENT: Mills**

## **F. REGULAR CALENDAR**

24. 2000.034ET (ROSETTER: 558-5987)

**CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT USE SIZE**

**AMENDMENT** Consideration of a proposal to amend the Planning Code (Zoning Ordinance) by amending Sections 178 and 186.1 to reduce the period of nonuse for conditional and nonconforming uses to be deemed abandoned in the Castro Street Neighborhood Commercial District (NCD) from 3 years to 18 months and to provide that, in the Castro Street NCD, a use exceeding the use size provisions for that district can be changed to another use only as authorized by another conditional use authorization; and by amending Sections 121.1 and 715.21 to reduce from 2,500 to 2,000 square feet the



use size threshold over which uses in the Castro Street NCD need a conditional use; to establish 4,000 square feet as the maximum use size in the Castro Street NCD; and to provide that, in the Castro Street NCD, any "Other Retail Sales and Services" use category that exceeds the 4,000 s.f. use size limit cannot change to another use category nor can it change its operation so as to provide a different line of goods or services enumerated in Section 790.102, which defines the "Other Retail Sales and Services" use category.

**SPEAKER(S):**

**(+) Supervisor Leno:**

- Would like to thank Mr. Rosetter and Mr. Herrera on the hard work and the thorough information gathered regarding this project.
- This NCD could be overtaken by national chains.
- The neighborhood does want a major supermarket.
- The neighborhood wants to protect the theatre.
- The neighborhood does not want to see small shops to be taken over by large chain stores.
- Would like to have the support of the Commissioners.
- Would like to emphasize that the thing that merchants and neighbors do not want a national chain clothing store.

**(+) Lion Barnett - President of Eureka Valley Promotion Association**

- Read a letter from EVPA to the Commissioners regarding their approval of the Castro NCD.
- Would like to have the changes to be approved.

**(+) Patrick Batt - President of the Merchants of Upper Market and Castro**

- The Castro is an internationally known destination of San Francisco and would like to keep it as a neighborhood.

**(-) Lee Julian - Broker - Herth Real Estate**

- Owns a few building in the Castro area.
- This legislation is ill-founded and does not take into consideration the reality of business.
- Thinks that this change is impractical and would like Commissioners not to approve it.

**(+) Joe Curtin - president of Castro Area Planning and Action**

- Supports the amendments to changes of the Planning Code.
- This is a very appropriate change to the zoning rules.
- This allows the community to have a role in the changes of the neighborhood.

**(+) Linton Stables - vice president of Castro Area Planning and Action**

- Supervisor Leno has researched the impacts of the changes.
- Would like to have Commissioners approve this project.

**(-) Jim Sullivan - one of the partners of the property at 470 Castro Street**

- There have not been any offers from a clothing store to move in there.
- He is worried that if there is limit in space there will be extra space that will not be able to be rented.

**ACTION: Approved as amended by Staff**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

**RESOLUTION NO. 15054**

25. 2000.329B (ARCE: 558-5986)  
MISSION BAY SOUTH BLOCK 28-- Request under Planning Code Section 321(Office



Development: Annual Limit) for a determination of the design quality and Project Authorization of the proposed office development for a five and six story building including 225,004 square feet of office space, 40,000 square feet of research and development space and 4,230 square feet of neighborhood-serving retail space, pursuant Resolution No. 14702 by which the Planning Commission adopted findings pursuant to Planning Code Section 321 (b) (1) that office development contemplated in the Mission Bay South Redevelopment Plan in particular promotes the public welfare, convenience and necessity, and in so doing, considered the criteria of Planning Code Section 321(b)(3)(A) through (G).

The Project Site lies within the Mission Bay South Redevelopment Area and is classified as a Commercial Industrial district, as defined in Section 302.3 of the Mission Bay Redevelopment Plan, and is within the Height Zone 5 (HZ-5) and a special height district that limits the maximum height of buildings to 90 feet. The area of the Project Site is approximately 80,619 square feet

The 301,272 gross square feet development of Block 28 would be the second stage of the first phase of development in a proposed 1.3 million square feet Mission Bay South office campus on Blocks 26, 26a, 27 and 28. This proposal focuses on the second stage of the first phase of office development in Mission Bay South. It consists of 225,004 square feet Class A office space, 40,000 square feet of research and development space and of 4,230 square feet of supporting retail uses. The proposal includes the development of the "vara" public access and utilities easement bordering the west side of Block 28, approximately 21,920 square feet of open space that includes a plaza and landscaped areas, and a temporary surface parking area in the future Mission Bay South Block 30, located south of the Site.

Pursuant to Code Sections 314, the project, which the Department has determined would result in the addition of 290,837 square feet of office use gross floor area, would require the provision of Child Care facilities. Any person may appeal this initial determination by delivering an appeal in writing to the Department within 15 days of this notice.

The project authorization for Block 28 is an undertaking pursuant to and in furtherance of the Mission Bay South Redevelopment Plan ("Plan"). The Final Subsequent Environmental Impact Report ("FSEIR") prepared for the Plan and related actions is a Program EIR under CEQA Guidelines Section 15168 and a redevelopment plan EIR under CEQA Guidelines Section 15180. The Project authorization is within the scope of the Plan approved earlier and the FSEIR adequately describes the project authorization for the purposes of CEQA.

**SPEAKER(S):**

**(+) Doug Gardner - President of Catellus**

- Would like to commend the Planning Department on the hard work related to this case.
- Gave a Powerpoint presentation on the design and master plan of the project. Catellus has tenants already for this building.
- This project is appropriate for the neighborhood.
- Building was designed to look simple yet not boring.

**ACTION:** **Approved**

**AYES:** **Theohars, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT:** **Mills**

**RESOLUTION NO.** **15055**



26. 1999.154E (KUGLER: 558-5983)  
992 PERALTA AVENUE, on the west side of Peralta Avenue, at the corner of Peralta and Tompkins; Lot 36 of Assessors Block 5696. Appeal of a Preliminary Negative Declaration for a planned unit development (PUD) of 66 condominium residential units and 3,500 sq.ft. retail. The proposed project is the construction a structure with residential units, a 2,500 sq.ft convenience store and a 1,000 sq.ft. fast-food takeout after demolishing three existing warehouse structures and removing an existing truck parking/storage yard. The new four-level building (three residential floors over a ground floor that would contain the retail space and 66 spaces of internal parking) is proposed to be constructed to follow the topography and would cover the entire lot at differing grade levels. The building would be approximately 40 feet in height. The proposed site is zoned NC-S with a 40-X Height/Bulk District.  
Preliminary Recommendation: Uphold Negative Declaration  
(Continued from Regular Meeting of April 6, 2000)

**SPEAKER(S):**

**(+) Austin Stack - homeowner and representative of the South Bernal Action Alliance**

- Would like to commend staff on the hard work devoted to this project.
- He will be adversely affected by this project.
- This huge, out-of-character structure does not belong in this neighborhood.
- When these units are sold, the developers will be long gone and the current neighbors will be the ones to face the problems arising from the development of this project.
- The surrounding area is zoned residential, the only area not residential is because of the farmers market.

**(+) Geoffrey Bauman - member of the South Bernal Alliance and resident**

- He is in favor of housing but building housing complexes far from transit is not a good idea.
- The area is not well served by traffic since Peralta is a dead end street, and there are a few other streets that reach dead ends. The neighborhood is based on hills and slopes.

**(+) Nora Roman**

- The negative impact report is not accurate.
- Any new construction has to be affordable housing since people who are low income and moderate income are being forced out by owner move-ins, evictions and houses being sold out from under them. Any new housing has to be affordable housing.
- This project is based on expensive condominiums that only rich can afford.

**(+) Giulio Sorro**

- Lives and works in the neighborhood and was born and raised there.
- The major issues in the neighborhood is housing and traffic yet this project will have a negative impact on these issues.
- On June 17, there will be neighborhood congress meeting and this case will be a major issue at this event. Would not want this to go ahead since at this meeting there will be more comments and input regarding this project.

**(+) Deanne Franklin - SBAA**

- She lives 1000 Jarbaou resident.
- If this project is approved, will the next step be to take over the open spaces that are left.
- Would like to see areas planned for open space, parks, etc.





Would like to see some kind of proof that the city is trying to maintain some kind of quality of life.

**(+) Tracy Hues**

- She lives in Noe Valley
- The construction will produce more garbage trucks which will make traffic unbearable.

**(-) Steve Swasson - Project Architect**

- Since the beginning of the project, his company has had many meetings with the neighbors and apparently the most important issues are the stores involved in the project.
- They are trying to work with the neighborhood and keep the massing low.
- He is excited about this project.

**ACTION: Approved to uphold negative declaration**

**AYES: Theoharis, Antenore, Chinchilla, Richardson**

**NAYES: Joe, Martin**

**ABSENT: Mills**

**MOTION NO.: 15056**

27. 1999.173A (GORDON: 558-6309)  
**250 BRANNAN STREET** north side between Delancey (First) and Second Streets, Lot 25 in Assessor's Block 3774 and 41 Federal Street, south side west of Delancey (First) Street, adjacent northerly to 250 Brannan Street, Lot 15 in Block 3774 -- Under the authority of Article 10 of the Planning Code, a Request for a Certificate of Appropriateness for the "alteration," as defined by Planning Code section 1005(c)(1), and adaptive reuse of the Contributory/Altered warehouse/light industrial building at 250 Brannan Street, and for demolition of a vacant non-Contributory light industrial structure and construction of a new, four-story live/work structure at 41 Federal Street. Per Planning Code section 1006.2(a)(1), the Planning Commission shall hold a public hearing on any application for a Certificate of Appropriateness for any alteration, demolition or new construction in a historic district. The subject properties are within the South End Historic District, are zoned SSO (Service/Secondary Office) and are in a 50-X Height and Bulk District. The proposed Certificate of Appropriateness was recommended for approval by the Landmarks Preservation Advisory Board at its Regular Meeting of April 5, 2000.

Preliminary Recommendation: Approval

**SPEAKER(S):**

**Suhail Tova - Attorney and project sponsor**

- Because the location is in a historic district, under the redevelopment plan, an approval from the Commission is required to convey this to the Redevelopment Commission.

**(+) John McNolte**

- The project is 4 parcels and located in a historical district.
- 51 units will be affordable housing.
- 250 Brannan Street - this building has seen many lives during the hundred years that it has been there. Building will be renovated bringing it up to code and making it acceptable for the business service use.
- 41 Federal Street -- this building will be demolished. A live/work, 4-story building with 9 units will be constructed at this location.
- One Federal and 200 Brannan - these buildings will be rehabilitated and 51 units will be constructed.
- The project design will be compatible with the neighborhood and will include 191



units.

- They have worked with many neighborhoods and all have agreed on the project.

**(+) Jim Haas - Chair of the Rincon Point South Beach CAC**

- His community has worked with the architect and developer. There have been many changes to the design and have agreed on this final version.

- This is the last development site in the south beach area.

- He looks forward to this development.

- More jobs and housing in the area is a good idea.

**(-) Sue Hester**

- The issues are not architectural issues but use designation of this site.

- There will be problems with changing live/work to commercial because of Prop M use policies regarding changing industrial to office.

- She has issues and problems with policy changes that are not dealt with in public and without public debate.

- She believes that this project will eventually change from industrial to office.

**(+) Amy Neches - San Francisco Redevelopment Agency and Project Manager for the Rincon Point/South Beach Project**

- Two of the 4 parcels are within redevelopment jurisdiction - one of the buildings is owned by the agency

- One Federal is an agency-owned building and it will be developed for 51 affordable housing units.

- One of the agency's most challenging work is to provide affordable ownership of property.

- This project is an excellent opportunity to provide affordable ownership opportunity.

**ACTION: Approved as amended by staff**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

**MOTION NO. 15057**

28. 2000.078G (KOMETANI: 558-6478)  
580 HOWARD STREET, north side between First and Second Streets. Lot 91 in Assessor's Block 3721 -- Request for approval under Planning Code Sections 1106 and 1107 to change the boundaries of the New Montgomery-Second Street Conservation District to include the subject property and to upgrade its Article 11 designation from "Category V, Unrated" to "Category IV, Contributory."

**SPEAKER(S):**

**(+) Joel Yodowitz - Reuben and Alter**

- Mr. Yodowitz did not have a presentation but was available for questions.

**(-) Sue Hester**

- The developer wants another tax brake.

- The site was approved as live/work and it is not being occupied as live/work.

- The tenants of this building are all business and not live/work.

- She called all the current tenants and no one stated that they were live/work.

**ACTION: Continued to 6/1/00**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

29. 1998.967C (MILLER: 558-6344)  
3132 - 23RD STREET, northeast corner at Shotwell Street, Lot 20 in Assessor's Block



2628 - Planning Commission-mandated one-year review for compliance with conditions of approval of Motion No.14810 authorizing a CONDITIONAL USE to establish a PLANT NURSERY WITH ASSOCIATED RETAIL SALES in an RH-3 (House, Three-Family) District and a 40-X Height and Bulk District.

SPEAKER(S):

**(+) Margarita Rodriguez Guzman representing the project sponsor Ms. Maria del Carmen Ramirez**

- Ms. Guzman read a letter from Ms. Ramirez that stated that she believed that she had met all the requirements except for the parking variance. She would like to have until June to be able to meet this requirement.
- The information submitted against the nursery have been determined to be misleading.
- The reason why Ms. Ramirez did not comply with the variance was because she spent a lot of time negotiating with the landlord.
- There is a tent where the nursery is and there is a 75 watt lightbulb. There is also a patio that does not have a flood light.

**(+) Lizette Fernandez - MEDA**

- Her organization represented Ms. Ramirez last year.
- She started off as a very small business that expanded into a nursery.
- She developed a business plan and a bank approved her for a loan. Unfortunately, she wasn't able to take the loan because she had gotten in debt of \$20,000.00.
- Neighbors and businesses donated money for her to be able to pay off this debt.

**(+) Lillian Bolter**

- Last time the case was heard it wasn't about how nice Ms. Ramirez was.
- There is a parking issue in the Mission District anyway.

**(+) Patricia Diaz**

- She visits Ms. Ramirez' family regularly.
- She closes at the required time.
- Christmas lights are allowed in the neighborhood.
- The other lights are very limited.
- The parking issue could be related to the Cala Foods and Liquor Store near by.

**(+) Asik Ali - lives on Shotwell Street**

- He has lived in that neighborhood for 14 years.
- All the neighborhood is in favor of the nursery.
- The whole neighborhood has a problem with parking on top of sidewalks.
- There is one person who does not want to have the nursery there.
- This person against the nursery should come out and talk to the rest of the neighbors and this person will realize that everyone is in favor of the nursery.

**(+) Antonio Diaz - PODER**

- Support the continuing existence of the nursery.
- He has been working closely with the neighborhood.
- It's important for them to support a neighborhood business that is attempting to beautify the neighborhood.
- The nearby school has taken trips to the nursery to teach kids about plants and flowers.

**(+) Richard Marquez - Mission Agenda**

- This flower shop is only 5 blocks away from the Bryant Square project.
- There are many neighbors, non-profits and agencies in support of this nursery.
- He asks cordially to allow for a continuance for Ms. Ramirez to be able to run her family owned business.



**(+) Oscar Grande - organizar with PODER**

- He was born and raised in the Mission and Excelsior Districts.
- The lighting is related to Christmas lights
- The Mission is notorious for limited parking.
- There are over 500 supporters for keeping this nursery.

**(+) Miguel Tamayo - neighbor**

- The lighting issue is related to Christmas lights.
- He lives 3 blocks away from the nursery.
- He and his family shop at this nursery all the time.

**(+) Lisa Gonzalez**

- She has spoken with several of the neighbors who don't have a problem with the nursery.
- Condition NO. 9 - states that the shop should close at 7:00 and have always closed at this time. During Halloween, she called Mr. Miller to ask permission to stay open and there was an approval so long as there were no sales made. No sales were made.
- At another time, Ms. Ramirez and some guests were celebrating the approval of her nursery and still, no sales were made.

**(-) Peter Jaques**

- One of many people that don't support this nursery.
- Several of the conditions have not been met.
- The nursery is covered by a blue tarp and he sees very little beauty in that.

**(-) Sam Kowarski**

- He lives across the street from the flower shop. He has lived there since 1974.
- He wasn't in agreement with having the nursery there but he decided to let it go for a year and conditions have not been met.
- He believes that if Ms. Ramirez didn't comply with the laws, then why would Ms. Ramirez comply with the rules if there is an extension.

**(-) Audrey Barrett - neighbor**

- She would like to see the parcel remain zoned as residential since there is such a shortage of housing.

**(-) Irving Rosenthal - Neighbors Against Business Expansion in Residential Zones**

- The conditions have not been met throughout the whole year.
- It is a busy corner, cars are coming and going.
- He is allergic to a lot of traffic.
- When he first moved into the neighborhood, it was a quiet area.

**(-) James Windsor - neighbor**

- The conditions have not been met.
- There is a lot of cars on the sidewalk.
- Ms. Ramirez has even attempted to open a produce market.
- He is concerned about the tents, before there was only one, now there are more.

**(+) Giovani Ramirez**

- The lights were on at 7 before he closed.
- His family is just trying to make a living.

**ACTION:** Continued to August 17, 2000 to allow compliance with conditions of approval.

**AYES:** Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson

**ABSENT:** Mills

30. 2000.037C (MIRAMONTES: 558-6348)  
531 DIVISADERO STREET, west side between Hayes and Fell Streets, Lot 6 in





Assessor's Block 1204 -- Request for Conditional Use Authorization under Planning Code Section 145.2 to provide outdoor seating at the rear of a NEW ground floor restaurant called Herbivore on a site located within an NC-2 (Small-Scale Neighborhood Commercial) District and a 65-A Height and Bulk District. The proposal is to provide an outdoor seating area for 18 customers at the rear of a ground floor restaurant.  
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) **speaker's name not understood**

- Wants to have outdoor seating to his restaurant.
- He agrees with all the conditions in the report except for the heating lamp and hours of closure.
- He is not sure if he will install the heating lamp yet if the need arises he would like to be allowed to install them.
- He would like to have the hours extended.

ACTION: **Approved with staff conditions**

AYES: **Theoharis, Antenore, Joe, Martin, Richardson**

NAYES: **Chinchilla**

ABSENT: **Mills**

MOTION NO. **15058**

31. 2000.281C (CHIN: 575-6897)

2300 CALIFORNIA STREET, northwest corner at Webster Street; Lot 033 in Assessor's Block 0636 - Request for Conditional Use authorization pursuant to Section 209.6 of the Planning Code to install a total of three antennas and a base transceiver station on an existing three-story over basement commercial building as part of Sprint's wireless telecommunications network in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) **Jennifer Astis - representing Sprint PCS**

- This complies with the WTS guidelines and the SF Municipal Codes.

(-) **Tracy Hues - resident of Noe Valley**

- These antennas are showing up all over the place like "bunnies" except that bunnies are living creatures.
- Study after study points to cancer from these antennas.
- This antenna will be installed over a hospital. Antennas should not be installed in schools, hospitals, etc.

ACTION: **Approved with staff conditions**

AYES: **Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

ABSENT: **Mills**

MOTION No. **15059**

32a. 99.414C (BRENNANUTTI: 575-6892)

325 FREMONT STREET, east side between Folsom Street and Harrison Street; Lots 12, 13 and 14 in Assessor's block 3747 - Request for Conditional Use Authorization per Planning Code Section 253 (building exceeding 40 feet in height in an R District) and Section 249(b)(1) (site coverage exceeding 80 percent) to allow construction of a new 21-story, 200-foot-tall residential building with not more than 54 dwelling units above four levels of parking (three levels below grade and one level at grade) with up to 54 spaces,



within an RC-4 (Residential-Commercial Combined District, High Density) District and the Rincon Hill Special Use District, and a 200-R Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.

**SPEAKER(S): None**

**ACTION: Without hearing, continued to 6/1/00**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

- 32b. 99.414V (BRESSANUTTI: 575-6892)  
325 FREMONT STREET, east side between Folsom Street and Harrison Street; Lots 12, 13 and 14 in Assessor's block 3747 -The Zoning Administrator will conduct a joint hearing on a request for a front setback Variance per Section 249(c)(3) and an open space Variance per Section 249(c)(4)(B).  
Preliminary Recommendation: Approval.

**SPEAKER(S): None**

**ACTION: Without hearing, continued to 6/1/00**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

33. 1999.746C (BRESSANUTTI: 575-6892)  
360-10TH STREET, west side between Folsom Street and Harrison Street; Lot 9 in Assessor's Block 3520 - Request for Conditional Use Authorization to allow the demolition of two dwelling units per Planning Code Section 803.5(b) and 233(a) and to allow construction of six new live/work units in the Industrial Protection Zone across the street from the Mixed Use Housing Zone per Planning Commission Resolution No. 14861, in the South of Market Service/Light Industrial/Residential (SLR) Mixed Use District and a 50-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.  
(Continued from Regular Meeting of April 27, 2000)

**SPEAKER(S): None**

**ACTION: Continued to 5/25/00**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

34. 2000.182C (SNYDER: 575-6891)  
291-293 DUBOCE AVENUE, southeast corner of Duboce Avenue and Market Street, Lot 58 in Assessor's Block 3534 -- Request for Conditional Use authorization under Planning Code Section 712.83 to install six flush mounted antennae (three facing south and three facing west) on the building's elevator penthouse approximately 50-feet above sidewalk grade in an NC-3 Use District and an 80-B Height and Bulk District. As part of the proposal, a base transceiver station would be installed within the building. The installation of the antennae and related equipment would be part of a wireless communication network operated by Nextel Communications.  
Preliminary Recommendation: Approval with conditions.  
(Continued from Regular Meeting of April 13, 2000)

**SPEAKER(S):**

**(+) Molly Cails - Nextel Communications**



- Site is needed to increase coverage in the area.
- They have submitted a 10-point health study as required by the City. This facility will comply with the Federal Safety Guidelines.

**(-) Tracy Hues - Resident of Noe Valley**

- There was a lack of notification from the project planner.
- There are studies (i.e. from the Marin Journal) that states that antennas are causing cancer.
- On the April 30, 2000 Sunday paper, there is an article about Mr. Green and the FBI regarding allowing antennas to go up without permits on Sutro Tower.
- People do not want these antennas in their neighborhoods.

**(-) Nancy Callaghan**

- She lives at 191 Duboce Street which is a block away from the proposed antenna site.
- There is a scientific proof that these antennas are causing health problems.
- Would like to wait for the installations of antennas until there are more scientific evidence that these antennas are a health hazards.

**(-) Eric P. Scott**

- He did receive notice from Nextel and the Planning Department about this hearing.
- He is in opposition of this antenna.
- He believes that these antennas will be a hazards since there seems to be a lot of vandals in the area and he is afraid that people will want to protest by climbing these antennas.

**(-) Annette Craig**

- She opposes the installation of this antenna.
- She grew up in this residential area.
- There hasn't been enough research about the hazards of these antennas.
- Why does the antenna have to be installed on her street.

**(-) Jody Moroh**

- She is a cancer patient and lives on Guerrero Street and does not want these antennas installed in her neighborhood.
- The antenna will impede her recovery from cancer.
- She is very concerned about the long term exposure from the emissions of the antennas.
- She has lost loved ones to cancer.

**(-) Gordon Winiemko**

- Lives on Guerrero Street
- He was here last time there was a case related to antennas.
- He passed to the Commissioners a copy of the Martin Journal article on health.
- The city should be able to turn these cases down.
- Last time, there were 90 signatures that frequent the area that were in opposition.
- He would like the Commission to make a rule on this and deny the installation.

**(-) Ryan Alan**

- He works at Kinkos where this antenna is proposed to be installed.
- Everyone at Kinkos is opposed of this installation.
- There is a great deal of locals that are concerned.
- He works 40 hours a week working at Kinkos and he is worried about having these antennas all over the place.
- He would like Commission to vote against this.

ACTION: **Approved with staff conditions**  
AYES: **Theoharis, Antenore, Joe, Martin, Chinchilla**



NAYES: **Richardson**  
ABSENT: **Mills**  
MOTION NO. **15060**

## G. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **5:00 p.m. 7:05 pm.** the Planning Commission Convened into a Special Discretionary Review (Dr) Hearing. Procedures governing Special DR Hearings are as follow: DR Requestor(s) are provided with up to five (5) minutes for a presentation and those in support of the DR Requestor(s) are provided with up to three (3) minutes each. The Project Sponsor is then provided with up to five (5) minutes for a presentation and those in support of the Project are provided with up to three (3) minutes each. At the conclusion, each side (not each person) is provided with 2 minutes for a rebuttal. Those cases that are scheduled on this calendar prior to 4:30 PM, but have not been called or heard by 4:30 PM, could be continued to a later time or date as determined by the Commission.

35. 2000.235D (M.SNYDER: 575-6891)  
175 BREWSTER STREET, east side between Esmeralda Avenue and Joy Street, Lot 12 in Assessor's Block 5577 -- Request for Discretionary Review of BPA No. 9924021 proposing to construct a single-family house on a vacant lot within an RH-1 (House, One-Family) District, a 40-X Height and Bulk District, and the Bernal Heights Special Use District.  
Preliminary Recommendation: Do not take DR and approve the Building Permit application as submitted.

### SPEAKER(S):

#### (+) Julie Andersen

- She has lived in the neighborhood since 1974.
- She bought a house at 190 Brewster Street
- The neighborhood is based on victorian homes.
- All the homes are complementary to each other.
- There are two completed homes and one in the process of being built.
- All the houses of the downhill side, follow the contour of the down hill.
- The proposed building would be too tall and is out of character with the rest of the homes.
- The road is exteremely narrow.
- There is limited parking.
- This would be the first building on the down hill slope and it will be very visible.
- She believes the owner that the top floor will not be made into a penthouse.

#### (+) Carey Davis

- lives at 159 Faith Street (corner of Faith and Brewster)
- Brewster street was a rural road.
- There has been a lot of work done on this neighborhood as a result, the area is becoming interesting to developers.
- The Bernal Heights Design Review Board has a long history of successful negotiations with designers and developers in an effort to retain the unique character of the nieghborhood.
- In this case the suggestions of the BHDRB have been ignored.
- She is not opposing the project, she would like the suggestions of the BHDRB be acknowledged and reduce the structure by one floor.

#### (+) Doile McGallan

- He bought a home at 18 Joy Street about 30 years ago





- The houses at the street above are at most 2 stories tall.
- He doesn't believe that a house of 3 stories should be constructed.
- He opposes the project completely.

**(+) Terry Mill - member of the East Slope Design Review Board**

- When the project sponsor came to this board with the proposal, the board asked for some changes to the plan.
- He thinks that there is inaccurate information that was given to the Commissioners.
- The project sponsor decided not to follow their advise.

**(+) Jacques Marchant - member of the East Slope Design Review Board**

- His issue is related to the landscaping particularly the trees and irrigation system that the city installed at taxpayers expense. The construction of this home will cause and has caused the death of many trees which were recently put it.
- Would like to have construction/building to be responsible for any damage done to the recently landscaped streets.

**(+) Deb Coss - lives on Faith Street**

- She is the current chair of the Bernal Heights East Slope Design Review Board
- She read a letter to the Commissioners where the vast majority of the neighbors signed a letter opposing this project.
- There are 3 requests that the neighbors would like: 1) Would like to have developers seriously follow the suggestions of the Design Review Board, 2) Would like to have responsible code compliance with this building, 3) Remove 3rd story from this construction.

**(+) Paul Boden**

- lives on Joy Street
- His house faces towards where this construction will be done.
- Construction will be a 6 story tall building.
- Many of the residents on that street, are part of the Design Review Board and have met with the project sponsor. There are strong oppositions to this construction.
- The report says that the construction will improve parking, yet he doesn't have any space to park.

**(+) Nicholas Yakovouski**

- He owns a house near the construction site.
- He worked with the Design Review Board and they helped him design his house.
- The street is very narrow.

**(+) Peter Shwabb**

- The Design Review Board has helped many of the neighbors construct their homes and basically have guidelines in the construction of homes in the neighborhood.

**(-) Chad Hamilton - architect for the project**

- The engineers' seal is on the survey.
- He and his client met with neighbors,
- The project is on an undeveloped site.
- Most of Brewster Street are 3 story houses.
- The requestor's home is 3 stories high.

**(-) Joe Fung - property owner**

- The construction is in full compliance with all the codes.
- This is just a single family home that he is building.
- He has provided parking space for two cars but can have 5 parking spaces.



- The construction is in compliance

**(-) Tiger Wong**

- He knows the property owner and completed an addition to his restaurant.
- Mr. Fung has complied with all the issues and codes.

**(-) George Stang - he works in the Building Department**

- Mr. Fung is a man of good integrity.
- He has helped in the construction of many low cost housing including schools.
- All he wants is a home for he and his family.
- Mr. Fung is not a developer, he is just a general contractor who wants to build his own home.

**ACTION: Take an intent to DR to require the removal of one story (staff will come back on 5/18/00 with findings).**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: Mills**

36. 2000.204DD (MEHRA: 558-6257)(KEYLON: 558-6613)  
2690 BROADWAY, northeast corner between of Divisadero Street, Lot 002B in Assessor's Block 0960 - Request for Discretionary Review of BPA No. 9913321, proposing to demolish an existing three-story, single-family residence and construct a new 3-story single-family residence in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: ~~Take Discretionary Review and approve building permit application with modifications.~~ Do not take Discretionary Review and approved project as revised.

(Continued from Regular Meeting of March 23, 2000)

**SPEAKER(S):**

**(+) Ron Zep - owns 2563 Divisadero Street**

- He is currently renovating his house and will be moving in with his family when it is finished.
- The property owner has a very large home with a small lot.
- The house is too tall particularly at the rear..
- The height of the home reaches 49 feet.
- Certain facts were omitted from the nieghbors.
- The Cow Hollow neighbors support taking a DR.

**(+) Cyndy Yu - owns 2682 Broadway**

- The laws in the codes are maintained for safety and keeping the quality of our environment.
- Would like to have the Commissioners help with finding a balance in this situation.
- This is not a neighbor to neighbor issue.
- Many neighbors are in opposition to this project.

**(+) Matt Francois - Cassidy, Shimko and Dawson**

- The proposed construction will cause blockage of light and air to Ms. Yu's property.
- The design of the home is not in compliance with the rest of the homes in the neighborhood.
- Would like to modify the design of the home.

**(+) Maryann Hubden**

- She lives near the proposed construction.
- She will lose light to her house.
- The house has taken 11 feet of sidewalk.



- She can't see up the hill, when she wants to take her car out of her garage.

**(-) Alice Barkley - represents project sponsor**

- Passed information and photo montages showing images of the proposed construction.

**(-) Bernardo Linquieta - project architect**

- The house will be built to be handicapped accessible.
- The design is of superior quality.
- There have been changes to the design (the height of the building has been lowered, the bay window has been pulled back 2 feet, the penthouse has been reduced, the elevator lobby has been eliminated). These changes have reduced the mass of the building.
- They have been very respectful of the neighborhood and neighbors.

**ACTION: Do not take DR and approve building permit with modifications**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**

**NAYES: Joe**

**ABSENT: Mills**

**37. 2000.201D (KOONTS: 558-6372)**

**318 KEARNY STREET**, west side between Pine and Bush Streets, Lot 006 in Assessor's Block 0269 -- Request for Discretionary Review of BPA No. 9919611, proposing to reverse conditions currently attached to the property (no outdoor tables on Belden Alley) in a C-3-0 (Downtown Office) District and a 50-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve building permit application subject to the conditions of approval included in the draft motion.

**SPEAKER(S):**

**(+) Ray Bashow - representing Financial District Food Services**

- He owns a restaurant called Spagetteria at 318 Kearny Street.
- He would just like to have the same rights as the restaurants on Belden Alley.
- He has 24 tables inside and 3 tables outside.

**(+) Joseph Bashir**

- The seating in his restaurant is limited.
- When he opened his restaurant he didn't know about the conditions.
- He moved into this space about 9 months ago.

**(-) Olivier Azancot**

- He has had this restaurant for many years.
- Belden Lane used to be just a back alley.
- Belden became a tourist destination thanks to their hard work.

**(-) Mrs. Kunio**

- Belden was chosen for its special character to have outdoor seating for these restaurants.
- Spagetteria is not a fine service restaurant. It is a fast food service.

**(-) Be Pica**

- Former restaurant critic with the San Francisco Examiner
- Introducing a fast food operation to Belden place would be like putting a low end shop at Union Square.

**(-) Pino Espinoza - Owner of Tiramisu Restaurant**

- He has about 4,000 signatures in support of Belden Alley.

**ACTION: Intent to not take DR and approve building permit (staff will come back on 5/18/00 with findings).**

**AYES: Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**



ABSENT: **Mills**

38. 2000.199D (FALLAY: 558-6367)  
420 COLLINGWOOD STREET, west side between 21st and 22nd Streets, Lot 004 in Assessor's Block 279 -- Request for Discretionary Review of BPA No. 9913273 proposing to replace the existing building with a four-story, two-family dwelling in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.

SPEAKER(S):

**(+) Lokelani Devone - Resident at 424 Collingwood Street**

- There are about 82 neighbors who oppose this project.
- Neighbors support the DR requestor.
- The proposed project is too large.
- The developer has made some concessions.
- The streets are so narrow that parking is only allowed on one side.

**(+) Jeannene Przyblyski - Resident at 414 Collingwood Street**

- She lives 2 doors to the north of the proposed construction.
- The planner came to discuss issues with the neighbors.
- Concerns about light, air and privacy should be protected.
- The planner gave them reason to believe that the changes made by the planner were reasonable.
- Later on, the changes made by the planner were to be unreasonable.

**(+) Sean Culman - Resident at 442 Collingwood Street**

- He is a member of the Steering Committee of the Collingwood Hill Association
- They have asked for some changes just to match the image of the neighborhood.
- The planner agreed to these changes.

**(+) Curt Holzinger - Architect for Ms. Devone**

- He is an architect but also lives in the neighborhood.
- The project is terribly out of scale.

**(+) Bill Barrett - Lives at 3957 22nd Street**

- Lives in the neighborhood.
- The computer rendering showed doesn't really show the impact the new construction will have on the rest of the houses.
- 2.3 stories is the average height of buildings in the neighborhood.

**(+) Rae Leaper - Lives at 445 Collingwood Street**

- The neighbors are not opposed to reasonable solutions.

**(+) Larry Lensky - Lives at 336 Collingwood Street**

- This building is disrespectful to the neighborhood.
- Proposition M is the law.
- Please reject building plans that are too large.

**(+) Norm Leaper - Lives at 445 Collingwood Street**

- He and his wife have lived there for 32 years.
- The street is in a quiet, middle-class neighborhood. It has a pleasant blend of homes which have been upgraded inside and out but that preserve the image of the neighborhood.
- Allowing this project to proceed, it would allow for the construction of an ugly structure that would destroy the charming image of this neighborhood.

**(+) Diane Barrett - Lives at 3957 22nd Street**

- Please consider two points: Prop M - established as a priority policy that exists





neighborhood character conserved and protected.

- There are elderly people

**(+) Cynthia Kear - Lives at 457 Collingwood Street**

- Has lived in the neighborhood for about 7 years.

- She is a member of the steering committee

- The association wants to express their opposition of the construction of this home.

- Many speakers had to leave because of appointments and previous engagements but all are in opposition of this construction.

**(+) Eric Jaye - Lives at 414 Collingwood Street**

- Virtually the whole neighborhood is present in opposition.

- They would like to reach an accommodation with the property owner.

- Would like to sit down with the property owner and reach a solution. They believe that they are close to reaching an agreement.

**(+) Ed Merrill -**

- The property owner has purchased two properties on the same block and therefore the intent is to make these properties developments. The property owner has no intent to live in these homes.

**(+) Steve Nichelson - Sanchez Hill Neighborhood Association**

- Does not live on Collingwood Street but supports the neighborhood association.

- He got a call from Norm Leaper to ask him to support their issues.

**ACTION: Take DR and limit so it's not to exceed 3 stories over garage**

**AYES: Theoharis, Antenore, Joe, Martin, Richardson**

**NAYES: Chinchilla**

**ABSENT: Mills**

39. 2000.414D (BORDEN: 558-6321)

74 EAGLE STREET, east side between Yukon and Mono Streets, Lot 016 in Assessor's Block 2711 -- Request for Discretionary Review of BPA No. 2000011377'S, a proposal to add an approximately 34' long x 30' wide second story addition to the existing one-story, single-family dwelling. The facade will also be remodeled to accommodate the addition of a one-car garage inside the existing residence in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.

**SPEAKER(S): None**

**ACTION: Withdrawn**

40. 2000.249D (MARTIN: 558-6616)

1050 IOWA STREET, west side between 23rd and 25th Streets, Lot 016 in Assessor's Block 4226 -- Request for Discretionary Review of BPA No. 9907699, BPA No. 9907700, and BPA No. 9907701, proposing to construct three buildings containing a total of 26 live/work units: Building A with ten; Building B with six; and Building C with ten, each building to be four stories and one mezzanine, in an M-1 (Light Industrial) District (Industrial Protection Zone) and a 40-X Height and Bulk District. The site is an odd-shaped (narrow and long) vacant lot. The project is set for a Mandatory Discretionary Review per City Planning Commission Resolution No. 14861.

Preliminary Recommendation: Take Discretionary Review and disapprove this proposal. (Continued from Regular Meeting of April 13, 2000)

**SPEAKER(S): None**

**ACTION: Without hearing, continued to 7/13/00**



AYES:           **Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**  
ABSENT:       **Mills**

41.           2000.250D (MARTIN: 558-6616)  
          1228 - 25th STREET, north side between Iowa and Indiana Streets, Lot 013A in Assessor's Block 4227 -- Request for Discretionary Review of BPA No. 9907691 and BPA No. 9907692, proposing to construct two buildings containing two live-work units each: Building A to be four stories and Building B to be three stories, in an M-2 (Heavy Industrial) District (Industrial Protection Zone) and a 50-X Height and Bulk District. The site is an odd-shaped (narrow and long) vacant lot. The project is set for a Mandatory Discretionary Review per City Planning Commission Resolution No. 14861. Preliminary Recommendation: Take Discretionary Review and disapprove this proposal. (Continued from Regular Meeting of April 13, 2000)  
          SPEAKER(S): **None**  
          ACTION:   **Without hearing, continued to 7/13/00**  
          AYES:       **Theoharis, Antenore, Joe, Martin, Chinchilla, Richardson**  
          ABSENT:    **Mills**

Adjournment:   10:30 P.M.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MAY 25, 2000**



# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chamber - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, May 18, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

OCT - 3 2000

SAN FRANCISCO  
PUBLIC LIBRARY

**PRESENT:** Theoharis, Antenore, Chinchilla, Martin, Richardson  
**ABSENT:** Mills, Joe

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:40 P.M.

**STAFF IN ATTENDANCE:** Gerald G. Green - Director of Planning, Larry Badiner - Zoning Administrator, Matt Snyder, Isolde Wilson, Eddy Zwierzycki, Jana Beatty, Linda D. Avery - Commission Secretary.

### A. ITEMS PROPOSED FOR CONTINUANCE

1. 1999.639D (ARCE: 558-5986)  
265 TINGLEY STREET, on the south side of the intersection of Tingley Street and San Jose Avenue, Lot 048 in Assessor's Block 6781 -- Request for Discretionary Review of BPA No. 9505908S, proposing to construct a new single-family house on a vacant lot in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: No recommendation at this time.  
(Continued from Regular Meeting of April 6, 2000).  
**NOTE:** On February 3, 2000, following public testimony, the Commission closed the public hearing and continued this matter to 2/17/00 with instructions to staff to explore and address traffic concerns.  
The vote was +7 -0.  
(Proposed for Continuance to June 1, 2000)

**SPEAKER(S):** None  
**ACTION:** Continued as proposed



AYES: **Theoharis, Antenore, Martin, Chinchilla, Richardson**  
 ABSENT: **Mills, Joe**

2. 1999.710E (EDMONDSON: 558-5994)  
67-69 Turk Street Parking Garage Project. Appeal of a Preliminary Negative Declaration Assessor's Block Assessor's Block 0342 and Lot 011. The proposed project would construct a mixed use building (parking/retail) on the corner of Turk and Taylor Streets. It would be approximately 99,150 square feet with about 9,325 square feet for three retail stores on the ground floor, approximately 77,060 square feet of parking on floors 2-7, about 12,425 square feet of building mechanical and maintenance space located in the basement, and a 340 square foot roof-top penthouse. The garage would hold 221 parking spaces and be about 70 feet tall. Existing use of the site accommodates 94 spaces on a surface lot and a basement level amounting to 25,880 square feet. The existing use would be demolished. The project site is on in a C-3-G Zoning District and a 120-X Height and Bulk District. Preliminary Recommendation: Uphold Negative Declaration  
**(Proposed for Continuance to June 22, 2000)**

SPEAKER(S): **None**  
 ACTION: **Continued as proposed**  
 AYES: **Theoharis, Antenore, Martin, Chinchilla, Richardson**  
 ABSENT: **Mills, Joe**

## B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

### SPEAKER(S):

#### **Terry Milne - East Slope Bernal Heights**

- At 170 Brewster Street - the Department approved plans for horizontal wood siding on all four sides. At the present time, the owner is putting stucco on the front facade and T1-11 plywood on both side walls.

- Shouldn't these type of changes go back to the Commission instead of just getting an over-the-counter permit? He believes that there is a procedure that a permit can be suspended until changes are approved by the Planning Department.





**Patricia Vaughney -**

- She was impressed with Mr. Paul Rosetter's speech about the economic viability of our City. One of the things that seems to be ignored more than anything is the diversity of businesses and services.
- She believes that we have to look at the long range goal on what is good for neighborhood serving as well as the viability of the City.
- We are losing our industrial sector of the City. A lot of jobs will be lost because of this.

**C. COMMISSIONERS' QUESTIONS AND MATTERS**

3. Consideration of Adoption - draft minutes of 2/17/00 and 5/4/00.

ACTION: **Approved**

AYES: **Theoharis, Antenore, Martin, Chinchilla, Richardson**

ABSENT: **Mills, Joe**

4. Commission Matters

**Commissioner Theoharis:**

- 1) Emphasized that her last name is Theoharis and not Harris.
- 2) There will be a joint hearing next Thursday (May 25, 2000) with the Park and Recreation Department. The Park and Rec cannot have a quorum until 2:00 p.m. so the Planning Commission will begin their meeting at 1:00 p.m. and recess at 2:00 p.m. After the Park and Rec meeting is finished, the Planning Commission will reconvene.
- 3) Regarding Mr. Milne's concerns regarding alterations to 170 Brewster Street and policy questions. 1) Is the scope of the change sufficient to obtain an over-the-counter permit or should it come back to the Planning Department; 2) is the general procedure with regard to the Zoning Administrator's authority to suspend a permit with similar conditions. Next week (May 25, 2000), would like staff to return and talk specifically about 170 Brewster Street. Then a specific date can be set to talk about specifics with the Building Department.

**Commissioner Chinchilla:**

This commission has approved over 3 million square feet of office space because of Prop M. As part of those approvals there were actions imposed on those projects for affordable housing. He didn't know how much money the Commission had generated for the affordable housing fund. He also didn't know how much affordable housing had been produced; by whom it had been produced; and what segment of the population it had been designed to serve. He would like to disclose this information to the public and have staff coordinate an informational presentation with all the relevant departments. Would like to know some type of status on this next week (May 25, 2000).

**Commissioner Antenore:**

Would like to include to Commissioner Chinchilla's request, the amount of space that has been approved as other than offices and the impact that this may or may not have had on affordable housing.

**D. DIRECTOR'S REPORT**

4. Director's Announcements.



**None**

6. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

**BOS:**

Jobs Housing Linkage Program – Mr. Green presented information on this in May. Supervisors Katz and Amiano both have drafted legislation. Supervisor Aminano amended his version within the last week. Staff will be looking at both of them and will bring information to the Commission. This will effect the time frame.

Appeal of a conditional use on a hotel on Lombard Street – issues at the BOS were the size of the building and the number of rooms in comparison to the neighborhood. There was a resolution which would have reduced the size of the building and reduce the number of rooms but the motion failed. The decision of the Commission to approve this project was overturned by a +9-1 vote.

**BOA:**

3015 Washington Street - February 11, 2000 it came to the Commissioner as a Discretionary Review. Regarding a deck to be allowed or not. They overturned the Commissioners decision +4-0; one member was absent.

**E. CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED**

7. 2000.235D (M.SNYDER: 575-6891)

175 BREWSTER STREET, east side between Esmeralda Avenue and Joy Street, Lot 12 in Assessor's Block 5577 -- Request for Discretionary Review of BPA No. 9924021 proposing to construct a single-family house on a vacant lot within an RH-1 (House, One-Family) District, a 40-X Height and Bulk District, and the Bernal Heights Special Use District.

Preliminary Recommendation: Do not take DR and approve the Building Permit application as submitted. **On May 11, 2000 following public testimony, the Commission closed the public hearing and passed a motion of intent to take Discretionary Review and remove the top floor and side wall modified. Staff was instructed to verify the correct property survey. The public hearing will remain open to address this issue only. The vote was +6 -0; Commissioner Mills absent.**

**SPEAKER(S): None**

**ACTION: Continued to June 1, 2000**

**AYES: Theoharis, Antenore, Martin, Chinchilla, Richardson**

**ABSENT: Mills, Joe**

8. 2000.201D (KOONTS: 558-6372)

318 KEARNY STREET, west side between Pine and Bush Streets, Lot 006 in Assessor's Block 0269 -- Request for Discretionary Review of BPA No. 9919611, proposing to reverse conditions currently attached to the property (no outdoor tables on Belden Alley) in a C-3-0 (Downtown Office) District and a 50-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve building permit application subject to the conditions of approval included in the draft motion. **On May 11, 2000, following public testimony, the Commission closed the public hearing and passed a motion to take Discretionary Review and not approve the proposal that includes an amendment to the previously approved conditions of**



approval. The vote was +6 -0; Commissioner Mills absent.

**SPEAKER(S):** None

**ACTION:** Took Discretionary Review and disapproved amendment of the previous Conditional Use Authorization.

**AYES:** Theoharis, Antenore, Martin, Chinchilla, Richardson

**ABSENT:** Mills, Joe

**MOTION NO.** 15051

## F. REGULAR CALENDAR

- 9a. 99.583X (WILSON: 558-6602)  
881-899 HOWARD STREET, southeast corner of Howard and Fifth Streets, with secondary frontage on Tehama Street, Lot 79 in Assessor's Block 3733 --Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance and Exceptions, including an exception to the Freight Loading Space requirement (Section 161(i)) to allow the conversion of approximately 152,000 square feet of space in the existing building to office use. The project also includes consolidation existing tenants at the site (approximately 92,400 square feet of retail and 13,400 square feet of office), and provision of approximately 45 parking spaces. The project lies within a C-3-S (Downtown Support) District and the 130-F Height and Bulk District.  
Recommendation: Approval with Conditions  
(Continued from Regular Meeting of May 4, 2000)

**SPEAKER(S):**

**(+) Jim Reuben - Reuben and Alter - Representative of Project Sponsor**

- The building is known as the Burlington Coat Factory.
- The retail part of the building will be stacked on the corner of 5th and Howard and the office project will be in the six-story building.
- He would like the Commission recommend that the downtown fund contribution be used for the specific purpose of landscaping Clementina Commons and that the child care contribution funds be used for the upcoming relocation of the South of Market Child care Center.
- Sponsor will work with the tenant "March 1", which used to be US Web, in connection with job opportunities and training through the South of Market Employment Center.

**(+) Louis Valcos - Richard Polack and Associates - Project Architect**

- The project is located on 5th and Howard
- The building was ordinally occupied by PG&E later it was purchased by Emporium/Capwell.
- In August of 1999, the building was purchased by the current developer.
- Will modify the existing windows.
- The sponsor is seeking Internet start ups as tenants.
- The lobby will have an industrial metal canopy.
- They will break down the scale of the building.
- They respected the budget restraints.

**(-) Roberta Caravelli**

- She doesn't understand why these projects come to the Commission still being nebulous.
- She emphasized that if Commissioners have concerns regarding this project then they should disapprove and question staff.

**(-) Dave Larsen - Attorney from Burling and Wyle - Represents the Taham Lofts**



**Home Owners Association.**

- This association is opposed to the project since there are issues that haven't been adequately addressed. Would like sponsor to write them a letter to address these issues.

**(-) Forrest Weeks - Tehama Lofts Home Owners Association**

- Concerned about the design of the buildings since particularly the entrance to the loading dock will be facing one of these lofts.
- He is also concerned about the garbage container which will be moved to the middle of the area, right next to the loading dock. There hasn't been documentation to specify how these issues will be addressed.
- General construction noise, debris, etc. during construction is of concern to the home owners of the lofts.

**(+) Carla Florian - Real Estate Manager for March 1**

- This company is in support of the project.
- They are a leading global Internet professional services firm.
- SOMA square will serve as March 1 regional headquarters as well as allow it to continue to grow and contribute to San Francisco's economy.
- They are in support of the project since it provides an opportunity to give life to a long, underutilized building and to make a positive contribution to the vitality of San Francisco.

**(+) William Joastone - Vice President of Bovis Land Lease**

- Have worked on the Pier 39 Aquarium, Metreon and recently are building the Four Seasons Hotel and Tower on Market Street.
- All they're projects utilize union labor force.

**(+) John Elberding - Executive V P of TODCO**

- They appealed the original Neg Dec. The planner who wrote this failed to note that there were 800 elders living on the same block and that this is a residential neighborhood.
- He talked to the developer and they reached an agreement on how to mitigate their impacts and that's why they withdrew their appeal of the Neg Dec.
- The developer agreed to pay twice the open space fee. They would like the Commission to approve this money to be used to landscape the public housing project - Clementina Towers Public Housing. TODCO and the Housing Authority are partners in a complete re-landscaping of that property which will also add 85 more senior housing units.
- He would like Commissioners to direct the Child care fees to go to the South of Market Child care Center.

**ACTIONS:** **Approved as amended staff (Design: Conditions to be met within a 4 month of project authorization unless an extension of time is granted by the Commission. The design should be modified where the in feasibility of improving the design demonstrated to the satisfaction of the department. Particular attention should be paid to the pedestrian interest, architectural detailing, transparency and openness of upper floors and the treatment of the 5th and Howard corner. Use of transparent glass as opposed to reflective glass and space should be used in the back of the building for antennas.)**

**AYES:** Theoharis, Antenore, Martin, Chinchilla, Richardson

**ABSENT:** Mills, Joe

**MOTION NO.** 15061





- 9b. 99.583B (WILSON: 558-6602)  
881-899 HOWARD STREET, southeast corner of Howard and Fifth Streets, with secondary frontage on Tehama Street, Lot 79 in Assessor's Block 3733 --Request under Planning Code Section 320-322 (Office Development Limitation Program) to allow the conversion of approximately 152,000 square feet of space in the existing building to office use. The project also includes consolidation existing tenants at the site (approximately 92,400 square feet of retail and 13,400 square feet of office), and provision of approximately 45 parking spaces. The project lies within a C-3-S (Downtown Support) District and the 130-F Height and Bulk District.  
Recommendation: Approval with Conditions  
(Continued from Regular Meeting of May 4, 2000)

SPEAKER(S): **Same as Item 9a.**

ACTION: **Approved as modified (When staff comes back for the information presentation on the design, at that time there will be a landscape plan to show how the open space will be improved.**

AYES: **Theoharis, Antenore, Martin, Chinchilla, Richardson**

ABSENT: **Mills, Joe**

MOTION NO. **15062**

10. 2000.260C (BEATTY: 558-6163)  
300 HOWARD STREET (A.K.A. 199 FREMONT STREET), northwest corner of Howard and Beale Streets, Lot 6 of Assessor's Block 3719 -- Request for Conditional Use authorization to add 13,043 square feet of parking to a previously approved office and retail development. The subject building is in a C-3-O (SD) (Downtown, Office - Special Development) District and a 350-S Height and Bulk District.  
Preliminary Recommendation: Approve with conditions.

SPEAKER(S):

**(+) David Wall - Developer - Fremont Properties**

- He agrees with the staff report.

ACTION: **Approved**

AYES: **Theoharis, Antenore, Martin, Chinchilla, Richardson**

ABSENT: **Mills, Joe**

MOTION NO. **15063**

11. 2000.006C (KEYLON: 558-6613)  
3445 GEARY BOULEVARD, south east corner at Stanyan Street, Lot 41 in Assessor's Block 1085 -- Request for Conditional Use Authorization under Planning Code Sections 121.2 and 712.21 for use size exceeding 6,000 square feet within an NC-3 (Moderate Scale Neighborhood Commercial) District and 40-X Height and Bulk District. The proposal is for a ground floor retail store (Beverages and More of 11,989 gross square feet.  
Preliminary Recommendation: Disapproval.  
(Continued from Regular Meeting of May 4, 2000)

SPEAKER(S): **None**

ACTION: **None - Project Withdrawn**

#### G. SPECIAL DISCRETIONARY REVIEW HEARING



At Approximately 3:05 p.m. the Planning Commission Convened into a Special Discretionary Review (Dr) Hearing.

12. 2000.269D (ZWIERZYCKI: 558-6263)  
585 LAIDLEY STREET, south side between Castro and Roanoke Streets, Lot 025 in Assessor's Block 6727 - Request for Discretionary Review of building permit application No. 9923677 of proposal to construct a third-story addition on top of an existing two-story single-family residence in an RH-1 (House, One-Family) District and 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.

**SPEAKER(S):**

**(+) Geraldine Foster**

- She has a lung disease and is prone to pneumonia and requires a lot of sun to her home to keep it warm.
- If the proposed construction is approved, she will loose about 50 to 60% of sunlight. This would require her to use the heating system and pay a large heating bill. She and her husband are seniors and don't have a large income.
- She was told by the Planning Department that she could not apply for a variance or that the project would be disapproved despite that the planner mentioned that the project was oversized.
- She requested that a 45 degree angle roof be built on the eastern portion of the proposed construction.
- The residential guidelines of the neighborhood states that a 3rd floor is not acceptable.

**(+) Carolyn Dickinson - Lives across the street from project site.**

- The proposed home would be taller than the other homes.
- Approval of this project would mean approval of other out-of -character proposals in this neighborhood.
- The proposed construction will draw attention at its location.
- The applicant can construct additional rooms in the lower level of the home instead of building above.

**(+) Roberta Caravelli - President of Citizens Review - Lives on this block**

- The planner mentioned that the project does not meet the design guidelines of the neighborhood.
- There have been a number of errors in regards to the planners report.
- The proposed construction will provide parking for 3 vehicles in violation of the planning code.
- It took her 2 days, requests to 3 different members of the staff to simply obtain a copy of the planners report.
- The department must be held to some kind of standards.

**(-) Manuel Alvarenga - Project Sponsor**

- Native born San Franciscan
- Has lived in this home for 30 years.
- There is a 50 foot tree that is just outside Ms. Foster's home which blocks her sunlight anyway.
- The DR applicant has newspaper and boarded windows.
- The design of the new addition will be built similar to the homes in the neighborhood.
- He has changed the plans several times for Ms. Foster.

**(-) Maria Alvarenga**

- She has lived in this neighborhood for about 30 years.
- She lives close to her sons home and visits the children frequently.



**(-) Sandra Alvarenga**

- Her and her husband have been looking for a home but they are too expensive so they decided to add to their present home.
- They have no yard so they have to build above to add rooms for their children.

**(-) Andy Forest - Civil Engineer**

- This is a small house and the only thing the homeowner wants is to add rooms because their family is growing.
- He and the homeowner have talked to Ms. Foster trying to work out the issues.

**ACTION: Intent to take Discretionary Review and approve the project with design changes schedule to come back to the commission on June 8, 2000; show new peaked roof design and add dormers to the rear; and building setback on the side of the DR requestor.**

**AYES: Theoharis, Antenore, Martin, Chinchilla, Richardson**

**ABSENT: Mills, Joe**

**THE DRAFT MINUTES WERE ADOPTED AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, June 1, 2000.**

Adjournment: 3:40 P.M.



55  
10  
1/25/00

# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Board of Supervisors Chamber - Room 250

City Hall, 1 Dr. Carlton B. Goodlett Place

Thursday, May 25, 2000

1:00 PM

Regular Meeting

DOCUMENTS DEPT.

OCT - 3 2000

SAN FRANCISCO  
PUBLIC LIBRARY

**PRESENT:** Theoharis, Chinchilla, Richardson, Antenore

**ABSENT:** Mills, Joe, Martin

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:15 P.M.

**STAFF IN ATTENDANCE:** Gerald G. Green - Director of Planning, Larry Badiner - Zoning Administrator, Hillary Gitelman; Paul Lord, John Billovits, Ricardo Bressanutti, Timothy Blomgren, Matthew Snyder; Jonathan Purvis; Linda D. Avery - Commission Secretary.

AT APPROXIMATELY 2:00 P.M. THE PLANNING COMMISSION WILL RECESS ITS REGULAR HEARING TO CONVENE SPECIAL JOINT HEARING WITH THE SAN FRANCISCO RECREATION AND PARK COMMISSION. THE PLANNING COMMISSION WILL RECONVENE ITS REGULAR MEETING AT THE CONCLUSION OF THE SPECIAL JOINT HEARING.

### A. ITEMS PROPOSED FOR CONTINUANCE

1. 2000.023C (LeBLANC: 558-6351)  
1731 - 1741 POWELL STREET, on the west side at Columbus Avenue; Lot 004 in Assessor's Block 0101 -- Request for Conditional Use authorization to:(1) operate a live theater, (2) a bar and (3) a use exceeding 2,000 square feet in the building previously known as the Pagoda Theater in the North Beach Neighborhood Commercial District and a 40X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.  
(Proposed for Continuance to June 1, 2000)

**SPEAKER(S):** None





ACTION: **Continued as proposed.**  
AYES: **Theoharis, Chinchilla, Richardson, Antenore**  
ABSENT: **Mills, Joe, Martin**

2. 1999.684D (WILSON: 558-6602)  
**129 RANDALL STREET**, south side between Whitney and Chenery Streets, Lot 038 in Assessor's Block 6663 -- Request for Discretionary Review of BPA No. 9911578, proposing to demolish the existing building and construct a new two-unit building in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review, approve project. (Continued from Regular Meeting of April 27, 2000).  
**(Proposed for Continuance to June 15, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued as proposed.**  
AYES: **Theoharis, Chinchilla, Richardson, Antenore**  
ABSENT: **Mills, Joe, Martin**

3. 2000.216C (KIM: 558-6290)  
**510- 520 FREDERICK STREET**, northwest corner at Frederick and Stanyan Streets; Lot 006 in Assessor's Block 1263 - Request for Conditional Use authorization to allow the installation of two panel antennas and an interior equipment shelter in the basement of an existing mixed-use building as part of a wireless telecommunication network, pursuant to Planning Code Section 710.83, in an NC-1 (Neighborhood Commercial Cluster District) District and a 40-X Height and Bulk District. Preliminary Recommendation: Approval with conditions.  
**(Proposed for Continuance to June 15, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued as proposed.**  
AYES: **Theoharis, Chinchilla, Richardson, Antenore**  
ABSENT: **Mills, Joe, Martin**

## B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))



**SPEAKER(S):****Laura Trippeli** - Chairperson of the Ocean Beach Task Force

- This organization is a Mayoral appointed task force created in March of 2000.
- The purpose is to bring together the various groups, agencies and individuals that care about Ocean Beach and address issues and provide recommendations to key decision makers.
- The Task Force is requesting that the Planning Commission direct the Planning Department to assign a staff member to attend their meetings.
- She would like to request that a staff member of the Planning Department attend a June 7, 2000 quarterly task force meeting to make a presentation about the Western Shoreline Plan which will be held at City Hall.

**C. COMMISSIONERS' QUESTIONS AND MATTERS**

4. Consideration of Adoption - draft minutes of 5/11/00.

**ACTION:**           **Approved**  
**AYES:**           **Theoharis, Chinchilla, Richardson, Antenore**  
**ABSENT:**       **Mills, Joe, Martin**

5. Commission Matters  
    **None**

**D. DIRECTOR'S REPORT**

6. Director's Announcements.

Commissioner Chinchilla requested a report be provided to the Commission on the Affordable Housing Fund (i.e. how much revenue has been generated from the decisions the Commission has made, how has that money been directed, how many units and who is occupying these units). July 13, 2000 is the date selected to present this information to the Commission.

7. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.  
    **BOS**  
    None

**BOA**

- Sutro Tower - installation of an antenna - Zoning Administrator decision upheld +5-0 - There will be a DR hearing in the near future.
- 2910 Pacific Avenue - upheld decision of the Planning Commission +5-0.

8. **175 170 Brewster Street Status Report**

- This item was raised in Public Comment by Mr. Terry Milne at the Commission Hearing of May 18, 2000. It was related to a change during construction without the Department or the neighborhood knowing about it.
- The situation was as follows: after the building permit was issued, the owner came back with the permit to the Planning Information Counter. The changes were reviewed by the original planner who then reviewed the changes and in his opinion thought that it was an appropriate design for the neighborhood. Perhaps he should have sent it back to the Bernal Heights East Slope Association. The building inspector noticed there was a difference in materials being used and put a stop to the construction. It was a good thing that Mr. Milne



came to the Commission to voice his concern.

- A report on this item will be presented to the Commission on July 13, 2000 under Director's Comments.

## E. REGULAR CALENDAR

9. 2000.378T (LORD/BILLOVITS: 558-6311/558-6390)  
SECTION 161J FINDINGS FOR PARKING REDUCTIONS IN NEIGHBORHOOD COMMERCIAL DISTRICTS. Consideration of a proposal to initiate an amendment to Section 161(j) of the Planning Code adding compatibility findings to the consideration of conditional use applications for off-street parking reductions for dwelling units in neighborhood commercial districts.  
Preliminary Recommendation: Approve resolution initiating text amendment and scheduling a public hearing on the recommendation of adoption to the Board of Supervisors for July 6, 2000.

SPEAKER(S): None  
ACTION: Approved  
AYES: Theoharis, Chinchilla, Richardson, Antenore  
ABSENT: Mills, Martin, Joe  
RESOLUTION NO. 15065

10. 2000.379T (LORD/BILLOVITS: 558-6311/558-6390)  
SECTION 303(C)(5) "IN LIEU" FOR ENTERTAINMENT USES IN NEIGHBORHOOD COMMERCIAL DISTRICTS. Consideration of a proposal to initiate an amendment to Section 303(c)(5)(A) to provide for full consideration by the Planning Commission of all standard conditional use findings of Section 303(c)(1-4) when making findings on a conditional use application for movie theaters, adult entertainment and other entertainment uses in neighborhood districts.  
Preliminary Recommendation: Approve resolution initiating text amendment and scheduling a public hearing on the recommendation of adoption to the Board of Supervisors for July 6, 2000.

SPEAKER(S): None  
ACTION: Approved  
AYES: Theoharis, Chinchilla, Richardson, Antenore  
ABSENT: Mills, Martin, Joe  
RESOLUTION NO. 15066

11. 1999.668E (BLOMGREN: 558-5979)  
38-44 TEHAMA STREET/543 HOWARD STREET, Appeal of a Preliminary Negative Declaration--Assessor's Block 3736, Lot 111. The proposed project involves improvements to a three story building and construction of 23,000 square feet on the fourth and mezzanine levels. The renovated and new space is proposed for office use. With construction of the additional story and mezzanine level, the building would be approximately 64 feet, 22 feet taller than the existing structure. The 14,500 square-foot project site is composed of one lot in the middle of a block bordered by Howard Street to the north, First Street to the east, Tehama Street to the south, and Second Street to the west. The site has frontages on Howard and Tehama Streets. The proposed renovated and enlarged building would contain approximately 73,000 gross square feet (gsf). The structure would not provide off-street



parking. The project would also include two off-street freight loading spaces.  
 Preliminary Recommendation: Uphold Negative Declaration  
 (Continued from Regular Meeting of May 11, 2000)

SPEAKER(S):

**(-) Sue Hestor - San Franciscans for a Reasonable Growth**

- This building is being marketed for Internet technology and multimedia companies.
- What are the cumulative displacement problems with this kind of development?
- She would like Commissioners to obtain the full information.
- She would like the Department to move on the issue of the Internet technology sector to get some basic environmental information. Therefore, the public can get information about how much of this is happening, where it is happening, who is being displaced, the cumulative amount of development and the cumulative amount of displacement.

**(+) Andrew Junius - Reuben & Alter**

- Represents Gordon Development - project sponsor.
- The Planning Department has thoroughly and meticulously responded to each of the issues of the appellant.
- This is an office project in a downtown office special development district.
- It will be considered under the Proposition Small Office Pool and Allocation. The project will pay all of the required development fees required under the Planning Code, including affordable housing, child care and transit impact.
- The potential tenants for this building will be Internet, technology based companies.

**(+) Joe O' Donaghue - Residential Builders**

- There are many companies that want to invest in San Francisco.
- He believes that we should give an opportunity for these companies to come to San Francisco and invest which would be good for the San Francisco economy.

ACTION: **Uphold Negative Declaration**  
 AYES: **Theoharis, Chinchilla, Richardson, Antenore**  
 ABSENT: **Mills, Martin, Joe**  
 MOTION NO. **15067**

12. 1999.746C (BRESPANUTTI: 575-6892)  
360-10TH STREET, west side between Folsom Street and Harrison Street; Lot 9 in Assessor's Block 3520 - Request for Conditional Use Authorization to allow the demolition of two dwelling units per Planning Code Section 803.5(b) and 233(a) and to allow construction of six new live/work units in the Industrial Protection Zone across the street from the Mixed Use Housing Zone per Planning Commission Resolution No. 14861, in the South of Market Service/Light Industrial/Residential (SLR) Mixed Use District and a 50-X-Height and Bulk District.  
 Preliminary Recommendation: Approval with conditions.  
 (Continued from Regular Meeting of May 11, 2000)

SPEAKER(S):

**Joe LaTorre - Mayors Office of Housing - Planning and Monitoring Director**

- There are two questions that the Commission needs to consider: what policies and guidelines are applicable to the project and how these guidelines and policies will be applied.
- The primary conclusion is that it would be necessary to gather more information





before determining whether a demolition meets the guidelines.

- The MOH would be able to make this determination, they would be able to provide this within ten days of receiving additional information.
- The first determination that needs to be made is whether the cost of rehabilitation exceeds the cost of replacement housing.
- The second determination which needs to be made is whether the actions of the owner or any previous owner caused the property to be uninhabitable through the neglect of maintenance.

**(-) John Elberling**

- He would like Commissioners to adopt the items on the report of May 5, 2000.
- If the Commission believes in affordable housing then why have certain projects been ignored.
- This City needs affordable housing.

**(-) Sue Hestor - Speaking on behalf of SIJA**

- The staff report is very troubling.
- The resolution is Planning Commission policy.
- The loss of housing in the low income communities is critical.
- DBI is more concerned about processing and approving permits than caring about affordable housing.

**(-) Ken Fujioka - Asian Law Caucus- Chinatown Community Development Center**

- They are very concerned about the implications about the staff recommendations for this project.
- This could result in implications throughout the City.
- The troubling part of this project is to demolish affordable housing and replace it with another form of more expensive housing.
- The issue here is that if a property owner ignores repairs to a building then it appears that they are rewarded.
- There is enormous replacement pressure.
- Live/work housing is not replacement housing.

**(-) Brad Paul**

- Past Director of the Mayors Office of Housing
- He is concerned with the precedent that this project is setting, what qualifies as replacement housing, and what guidelines should be set in setting the fee.
- Live/work is not the same as affordable housing.
- The cost of rehabilitation must exceed the cost of replacement housing.
- Quoting from the representative of MOH, he stated that if they were asked, they would need more information to make that determination, which means that they haven't been asked.
- It's very difficult for a family to live in live/work. Therefore, it's not really replacement housing.

**(-) Kelly Cullen - Franciscan Brother - works in the tenderloin for 19 years**

- He is currently the director of Tenderloin Neighborhood Development Corp.
- This is a major housing issue. Live/work does not qualify as affordable housing.
- He joins with other people to voice their opinion that there should be no demolition until further investigation is made.

**(-) Kevin Donahue**

- The burden should not be put on an individual land owner.

**(+) Alice Barkely**

- It is up to the commission whether they want to apply the guidelines. It is the Commission's discretion to do that.
- Guidelines should be looked at on a case-by-case basis.
- The property was unoccupied for 11 years because of damage from the Loma



Prieta earthquake.

**(-) Joe Donahue - Residential Builders**

- The real issue is the lack of low cost housing. It's not the lack of affordable housing.
- They have been able to build and provide a lot of money for the school district.

**Commissioner Chinchilla**

The suggestion would be to modify and require that this project at all times have a live component to it. That this project cannot be strictly for commercial use. That way part of this project would be housing. If this project was a sound affordable housing, then the situation would be different.

**ACTION:** Intent to approve with Commissioner Chinchilla's amendments:  
The suggestion would be to modify and require that this project at all times have a live component to it. That this project cannot be strictly for commercial use. That way part of this project would be housing.  
**Failed +3-1 (Commissioner Antenore voting no).**

**AYES:** Theoharis, Chinchilla, Richardson

**NAYES:** Antenore

**ABSENT:** Mills, Joe, Martin

**ACTION:** Motion to continue to July 13, 2000

**AYES:** Theoharis, Chinchilla, Richardson, Antenore

**ABSENT:** Mills, Joe, Martin

13. 99.688CV (PURVIS: 558-6354)  
321 POTRERO AVENUE, east side between 16th and 17th Streets; Lot 19 in Assessor's Block 3961: Request for Conditional Use Authorization under Planning Commission Resolution No. 14861 to permit conversion of two commercial buildings into four live/work units at the rear of the subject lot. The site is within an M-1 (Light Industrial) District with a 40-X Height and Bulk Designation and is within the Interim IPZ (Industrial Protection Zone) Buffer. A request for a Rear Yard Variance for this project will be heard by the Zoning Administrator. Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**Judy West - Project Sponsor**

- There are art spaces towards the back of the property.
- The art spaces enhance the property.
- There is an existing commercial building, they would like to maintain the building as a commercial building.
- She would like to have a flexible plan where certain parts of the building remain as commercial and other as housing.

**(+) Simone Jensen - Sculptor**

- She supports the project because there is a lack of space where people can live and work.
- It is important to keep live/work buildings in the City.

**(+) Camila Aguilar - Artists**

- There is a large burden for artists who are not quite profitable with their art therefore these projects enable these artists to live and work in the same place.
- A lot of artists need this space for living and working.



ACTION: **Approve with staff recommendations**  
AYES: **Theoharis, Chinchilla, Richardson, Antenore**  
ABSENT: **Mills, Joe, Martin**  
MOTION NO: **15068**

14. 99.688CV: (PURVIS: 558-6354)  
321 POTRERO AVENUE, east side between 16th and 17th Streets; Lot 19 in Assessor's Block 3961: Request for a Rear Yard Variance under Section 134(a)(1) of the Planning Code for a vertical expansion of a non-complying rear building. The second story of the subject rear building is within the required rear yard with respect to dwelling units at the front of the subject lot. The site is within an M-1 (Light Industrial) District with a 40-X Height and Bulk Designation and is within the Interim IPZ (Industrial Protection Zone) Buffer. This item will be heard by the Zoning Administrator.  
Preliminary Recommendation: Approval with conditions

**Larry Badiner - Zoning Administrator**

Staff recommendation is for incorporating conditions. The second portion of condition A, reading: "because the total commercial space is less than 5,000 sf, no additional parking.." - this item should be struck. If there is a conversion, staff will examine it at that time whether parking is required or not. The variance will be taken under advisement. There is residential in the front of the project, if there wasn't any residential in the front, there would be no rear yard requirement therefore the owner would be able to build the envelope that they want without any variance. The fact that there is residential in the front and commercial in the back. The variance will be taken under advisement and a determination letter will be issued in the near future.

15. 1999.893C (M. SNYDER: 575-6891)  
114 7TH STREET, southwest corner of 7th and Mission Streets, Lot 1 in Assessor's Block 3727, commonly known as Hotel Britton - Request for Conditional Use authorization under Planning Code Section 816.73 and 227(h) to install two panel antennas at the base of the roof's flagpole approximately 66.5-feet above grade, and to install a base transceiver station in a storage area in the adjacent covered parking area, in an SLR District and a 65-X Height and Bulk District. The installation of the antennas and related equipment would be part of a wireless communication network operated by Sprint PCS.  
Preliminary Recommendation: Approval with conditions.

SPEAKER(S): **None**  
ACTION: **Without hearing, continued to June 22, 2000**  
AYES: **Theoharis, Chinchilla, Richardson, Antenore**  
ABSENT: **Mills, Joe, Martin**

16. 1999.830C (M. SNYDER: 575-6891)  
588 SOUTH VAN NESS AVENUE, west side between 16th and 17th Streets, Lot 6 in Assessor's Block 3570 -- Request for Conditional Use authorization to construct 11 live/work units on a vacant lot in a C-M (Heavy Commercial Use) District, a 50-X Height and Bulk District, and a Mixed-Use Housing Buffer Zone. As proposed, the 16,899 square foot project would include four stories plus two mezzanine levels and would be approximately 50-feet in height. The project would also include 11 off-street parking spaces and one loading space.  
Preliminary Recommendation: Approval with conditions.

**(+) Sherrie Chow - Project Sponsor**



- This project makes for an ideal solution between as a buffer between the residential and the commercial surrounding properties. It would incorporate residential commercial and residential occupancy in a live/work usage.
- Would like staff to be more design sensitive.

**(+) Joe O'Donaghue - Residential Builders**

- This live/work proposal is a good transition into a buffer zone.

**(-) Sue Hestor - San Franciscans for a Reasonable Growth**

- 1 year ago they started the process of adopting inner guidelines which expire in November.
- This area is for affordable housing.
- There will be 11 units at 100% market rate housing.

**(+) Alice Barkely**

- This project complies with the criteria of the code.
- The Commission, during lengthy hearings when they adopted the interim controls, debated the issue of affordable housing for two years.
- It is the legislative judgement by the Planning Commission and the Supervisors that live/work in this case is exempted from the affordable inclusionary requirements.

**ACTION: Approved**

**AYES: Theoharis, Chinchilla, Richardson, Antenore**

**ABSENT: Mills, Joe, Martin**

**MOTION NO.: 15069**

17. 2000.186C (JONES: 558-6291)  
1515 19TH AVENUE, west side of 19th Avenue between Kirkham and Lawton Streets; Lot 004 in Assessor's Block 1865 -- Request for a Conditional Use authorization pursuant to Section 209.6 of the Planning Code to install a total of 9 panel antennas on the roof parapet and an equipment cabinet on the rooftop of the existing telecommunications facility building (Pacific Bell Central Office) as part of a wireless telecommunication network in the RH-2 ( Residential, Two Family) District and a 40 - X Height and Bulk District.  
 Preliminary Recommendation: Approval with conditions.

**SPEAKER(S):**

**Robert McCarthy - McCarthy and Swartz - Representing Project Sponsor**

- The building where these antennas will be installed is a Pacific Bell building.
- There was one person who lives near by who had concerns about health risks.

**ACTION: Approved as recommended**

**AYES: Theoharis, Chinchilla, Richardson, Antenore**

**ABSENT: Mills, Joe, Martin**

**MOTION NO. 15070**

18. 2000.322C (WILSON: 558-6602)  
212 STOCKTON STREET, northeast corner of Stockton and Geary Streets; Lot 11 in Assessor's Block 309 - Request for a Conditional Use authorization to allow conversion of the sixth floor retail space to office use, under Planning Code Section 219(c), within a C-3-R (Downtown Retail) District, the Kearny-Market-Mason-Sutter Conservation District, and a 80-130-F Height and Bulk District.  
 Preliminary Recommendation: Approval with conditions.





SPEAKER(S):

**Robert McCarthy - McCarthy and Swartz - Representing Project Sponsor**

- The project was originally approved prior to the adoption of Prop M. It has a basement, 4 stories of retail, and the 5th, 6th and 7th stories to be office space.
- The project sponsor had leased the 6th floor to retail. The retail tenant has decided that there wasn't enough foot traffic therefore has vacated.
- An office tenant has been located, therefore, staff has recommended to come back before the Commission for re-authorization.

**(+) Sue Hestor - San Franciscans for Reasonable Growth**

- She has no problems with this project.

(+) William Liebermann

- proposed tenant and would love to move into this building.

**ACTION:** Approved as recommended by staff

**AYES:** Theoharis, Chinchilla, Richardson, Antenore

ABSENT: Mills, Joe Martin

MOTION No.: 15071

19. 98.324C (BEATTY: 558-6163)  
897 CALIFORNIA STREET, southeast corner of California and Powell Streets, Lot 16 in Assessor's Block 256-- Request for Conditional Use Authorization to construct a new residential building containing 9 dwelling units and 12 parking spaces above a height of 40 feet in an RM-4 District and a 65-A Height and Bulk District.  
 Preliminary Recommendation: Approval with conditions.

SPEAKER(S):

(+) Andrew Junius - Reuben & Alter - Representative of Project Sponsor

- There were a number of projects approved on this site.
- This is a 6-story condominium project.

(+) Ted Eden - Project Architect

- It is designed as a renaissance Italian architectural building that is designed to fit in with the other buildings.

(-) Enid Lim - Nob Hill Neighbors

- She and other residents formed to make sure that projects that were approved for the "hill".
- There were other projects that were fought to be approved.
- She only heard about this project a few days before this hearing.
- There are a lot of people that haven't been notified about this project.
- The site where this construction will be is a site where there are two cable car lines that intersect.
- Not knowing a lot of the details about this project, it is hard for residents to express their comments.
- Would like to have a time for the community to talk to developers and ask questions and pose their concerns.

(-) Cecilia Estolano - Gibson, Dunn and Crutcher

- Represents the Stanford Hotel.
- The project does not meet the requirements of Section 303.
- The proposed height and massing will be detrimental to the convenience and general welfare to the persons working and living in the vicinity.
- An alternative could be to redesign the building.



- Would like to have this item continued to give the community time to meet with the developer and discuss issues.

**(-) Sue Hestor - Representing Stanford Court**

- There wasn't an environmental document done.
- There is no opposition because people did not know about this.

**(+) Joe Donahue - Residential Builders**

- This permit was applied for in 1998. Neighbors were notified twice.
- Neighbors are wealthy neighbors.
- Stanford Court Hotel knew about this project.
- There is an inconsistency in regards to the approach.
- This is a 100% union job.
- This project needs to move on since it has been two years that it has been proposed.

**ACTION: Approved**

**AYES: Theoharis, Chinchilla, Richardson, Antenore**

**ABSENT: Mills, Joe, Martin**

**MOTION NO.: 15072**

20. 2000.297C (DIBARTOLO: 558-6291)  
1409 POLK STREET west side between California and Pine Streets; Lot 04 in Assessor's Block 646: --Request for Conditional Use authorization under Section 723.42 of the Planning Code to allow a Full-Service Restaurant in the Polk Street Neighborhood Commercial District (NCD) and a 80-A Height and Bulk District.  
 Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**(+) Michael Kimiyaie - Project Sponsor**

- He was forced to leave the location because he lost his lease.
- He found another space 2 1/2 blocks from the current location.
- He wants to open his restaurant there.

**(+) Joe O'Donaghue - Residential Builders**

- Polk is one of those areas that needs as much change as possible.
- He has eaten at the project sponsor's restaurant.
- Would like to have the project approved.

**(-) Eva Charles - Owns a Diner on Polk Street**

- She is a business owner of about 13 years, she knows that owning a business in San Francisco is a privilege and not a right.
- Foot traffic is vital for the businesses on Polk Street.
- There is not a variety of stores on Polk Street. There are more restaurants there.

**(-) Vahid Scandarian - Owns a Pizza Restaurant**

- Having another restaurant will make traffic worse.
- Polk street needs more retail stores.

**(-) Speakers name not available**

- She is a resident on Polk Street for many years.
- There are too many restaurant businesses on Polk Street already.
- Polk street should be made into a shoppers paradise.

**(-) Michael Wilson -**

- Resident of Polk Street for many years.
- There is a need for more commercial space. There are too many restaurants.
- He thought that there was a moratorium on restaurants.
- There are a lot of vacant buildings.



**(-) Fatini Papafilis - speaking on behalf of Mr. Papayanis**

- Read a letter from Mr. Papayanis.
- In 4 blocks there are 32 Restaurants not including bars serving food.
- There are 9 buildings and most have restaurants.
- Another restaurant will hurt the neighborhood.

**(+) Idy Hadad - 1700 block of Polk Street**

- He doesn't think that opening another restaurant will cause more traffic.

**(+) David Meer**

- The project sponsor is only moving a few blocks.
- He supports the project sponsor.

**(+) Bijan (unable to understand last name) - owner of a smoke shop on Polk.**

- He has been eating at this restaurant for many years.
- He doesn't understand why the residents of the neighborhood are opposed.

**(+) Ali Homidi**

- He has known the project sponsor for 30 years.
- He supports him and his family.

**(-) Amy Yung**

- She has worked on Polk Street for 11 years.
- There is too much competition on Polk Street.

**ACTION:**               **Approved with staff conditions which require the applicant to remove all of the cooking facility at his existing restaurant for the purposes of setting up an abandonment of that activity. The ZA will then make a determination that the applicant has done that.**

**AYES:**               **Theoharis, Chinchilla, Richardson, Antenore**

**ABSENT:**           **Mills, Joe, Martin**

**MOTION NO.:**     **15073**

**G.       AT APPROXIMATELY 6:36 P.M. THE PLANNING COMMISSION CONVENED INTO A SPECIAL DISCRETIONARY REVIEW (DR) HEARING.**

21.       2000.331D (MIRAMONTES: 558-6348)  
 2616 UNION STREET, west side between Broderick and Divisadero Streets, Lot 006 in Assessor's Block 0946 -- Request for Discretionary Review of BPA No. 20000127446S, proposing to construct an approximately 4-foot wide deck at the rear of the second floor and also to construct an approximately 5-foot by 7-foot enclosed garden storage area at the northwest corner of the building in an RH-2(Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Take Discretionary Review and approve the building permit application with modifications.

**SPEAKER(S):**

**(-) Merel Glaubiger - DR Requestor**

- She and her neighbor have tried to settle issues but haven't been able to.
- Would like the Commission to take DR and allow for her suggestions.
- The proposed addition wall will block the sun and light to their home.

**(-) Daniel Archer - D.R. Requestor's Architect**

- Recommen moving the barbecue away from the west side to the east side of deck since the plans have not shown a permanent barbecue.

**(-) Daniel Glaubiger**

- There is a lot of obstruction which the wall will cause in regards to light, view and



sun.

**(+) Ed McCacrin**

- The neighbors enjoy panoramic views of the city since they have 5 levels.
- There is no view blockage.
- The Glaubiger's tore down a beautiful tree which has given them a panoramic view.
- The Glaubiger's and his clients have spoken many times.

**ACTION: Approved with Staff Recommendations**

**AYES: Theoharis, Chinchilla, Richardson, Antenore**

**ABSENT: Mills, Joe, Martin**

22. 2000.377D

(MIRAMONTES: 558-6348)

2524 UNION STREET, east side between Divisadero and Scott Streets, Lot 010 in Assessor's Block 0945 -- Request for Discretionary Review of BPA No. 20000114158, proposing to construct a 21-foot deep rear extension on the first floor and a 6-foot deep rear extension on the second and third floors in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the building permit application with modifications.

**SPEAKER(S):**

**(-) Cindy Horowitz - Representing her daughter Wynona Rider**

- The primary concern is not of the 21 foot ground level, but with the 6 foot extension of the 2nd and 3rd story.
- The top floor is extremely important to the family since it is where her daughter reads her scripts and where she does work. There is a very small deck, where if they go onto the deck, they will be looking at a solid wall to the right which goes into a bedroom window.

**(-) Anna Shimko of Cassidy, Shimko & Dawson -**

- The space that the compromised space would cut off is really not usable space.
- Urges that the Commission take DR and consider the compromised plan.

**(+) Molly Brennan - representing project sponsor**

- They are minable to the recommendations made by staff. Staff has been very helpful.
- Ms. Horowitz will not be looking into a solid wall. The 3 foot compromise is not small to them, but considerable. They have already made a compromise to the design.

**(+) Marty Zwick - Project Architect**

- He is being sensitive to the neighbors
- They have made a good faith effort to work with Ms. Horowitz.

**ACTION: Take Discretionary Review and approve project with elimination of 3 feet from top of 2nd floor extension.**

**AYES: Theoharis, Chinchilla, Richardson, Antenore**

**ABSENT: Mills, Joe, Martin**

Adjournment: 7:21 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JUNE 8, 2000.**





# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, June 1, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

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PRESENT: Theoharis, Richardson, Antenore, Mills, Joe, Martin  
ABSENT: Chinchilla

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:36 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning, Larry Badiner - Zoning Administrator, Hillary Gitelman, Jana Beatty, Matthew Snyder, Joy Navarrete, Kelly LaBlanc, Michael Kometani, Nora Priego - Transcription Secretary, Linda D. Avery - Commission Secretary

### A. ITEMS PROPOSED FOR CONTINUANCE

1. 1998.953E (NAVARRETE: 558-5975)  
557 FOURTH STREET-- Public Hearing on Draft Environmental Impact Report. On Assessor's Block 3776, Lots 119 and 62, the project would demolish an existing building on the southeastern portion of the 70,400-square-foot project site, subdivide the project site into 12 equal-sized air parcels, and construct a four-story, 55-foot-tall wood frame live/work building on each air parcel. A total of 188 live/work units, occupying approximately 227,000 square feet, would be constructed along with approximately 13,000 square feet of retail space for four to six commercial tenants, which would be provided on the ground floor of the two buildings with frontage on Fourth Street. A three-level underground parking garage would occupy the entire site and would provide 188 private parking spaces (one per live/work unit), 292 public parking spaces, and 2 off-street loading spaces. The garage would be accessible on Welsh and Freelon Streets in the middle of the project block. The project site is in SLI (Service Light Industrial) District, and is in a 50-X Height and Bulk District. **Note: Written comments will be received at the Planning Department until 5:00 p.m., on June 8, 2000.**



**(Proposed for Continuance to June 8, 2000).**

**SPEAKER(S): None**

**ACTION: Continued to June 8, 2000**

**AYES: Antenore, Joe, Martin, Theoharis, Mills, Richardson**

**ABSENT: Chinchilla**

2. 1999.829C (LeBLANC: 558-6351)  
700 JONES STREET, northeast corner at Post Street; Lot 014 in Assessor's Block 0298  
--Request for Conditional Use authorization to install a wireless telecommunications facility consisting of 6 panel antennas on the rooftop penthouse and base station equipment in the basement of a mixed use building in an RC-4 (Residential-Commercial Combined) District, and an 80-A Height and Bulk District.  
Preliminary Recommendation:  
**(Proposed for Continuance to June 8, 2000)**

**SPEAKER(S): None**

**ACTION: Continued to June 8, 2000**

**AYES: Antenore, Joe, Martin, Theoharis, Mills, Richardson**

**ABSENT: Chinchilla**

- 3a. 1999.414C (BRESSANUTTI: 575-6892)  
325 FREMONT STREET, east side between Folsom Street and Harrison Street; Lots 12, 13 and 14 in Assessor's block 3747 - Request for Conditional Use Authorization per Planning Code Section 253 (building exceeding 40 feet in height in an R District) and Section 249(b)(1) (site coverage exceeding 80 percent) to allow construction of a new 21-story, 200-foot-tall residential building with not more than 54 dwelling units above four levels of parking (three levels below grade and one level at grade) with up to 54 spaces, within an RC-4 (Residential-Commercial Combined District, High Density) District and the Rincon Hill Special Use District, and a 200-R Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.  
(Continued from Regular Meeting of May 11, 2000)  
**(Proposed for Continuance to June 8, 2000)**

**SPEAKER(S): None**

**ACTION: Continued to June 8, 2000**

**AYES: Antenore, Joe, Martin, Theoharis, Mills, Richardson**

**ABSENT: Chinchilla**

- 3b. 1999.414V (BRESSANUTTI: 575-6892)  
325 FREMONT STREET, east side between Folsom Street and Harrison Street; Lots 12, 13 and 14 in Assessor's block 3747 -The Zoning Administrator will conduct a joint hearing on a request for a front setback Variance per Section 249(c)(3) and an open space Variance per Section 249(c)(4)(B).  
Preliminary Recommendation: Approval.  
(Continued from Regular Meeting of May 11, 2000)  
**(Proposed for Continuance to June 8, 2000)**  
**SPEAKER(S): None**  
**ACTION: Continued to June 8, 2000**  
**AYES: Antenore, Joe, Martin, Theoharis, Mills, Richardson**



ABSENT: Chinchilla

4. 2000.147C (LeBLANC 558-6351)  
400 McALLISTER STREET AKA 401 POLK STREET, northwest corner at Polk Street; Lot 002 in Assessor's Block 0766 -- Request for Conditional Use authorization to install a wireless telecommunications facility consisting of six panel antennas and base station equipment on the roof of an existing building in a P (Public) District, the Civic Center Historic District and an 80-X Height and Bulk District.  
Preliminary Recommendation: Approval with Conditions  
**(Proposed for Continuance to June 8, 2000 June 15, 200)**  
SPEAKER(S): None  
ACTION: Continued to June 15, 2000  
AYES: Antenore, Joe, Martin, Theoharis, Mills, Richardson  
ABSENT: Chinchilla
5. 2000.316X (BEATTY: 558-6163)  
554 MISSION STREET, north side of Mission Street between 1st and 2nd Streets, Lots 15, 17 and 18 of Assessor's Block 3708 -- Request for two exceptions under Planning Code Section 309: (1) separation of towers requirements as permitted in Planning Code Section 132.1(c)(1); and (2) on-site freight-loading service driveway requirements as permitted in Section 155(d). The project site is within the C-3-0 (Downtown, Office) District and 500-S (Lot 18) and 550-S (Lots 15 and 17) Height and Bulk Districts.  
Preliminary Recommendation: Approval  
**(Proposed for Continuance to June 8, 2000)**  
SPEAKER(S): None  
ACTION: Continued to June 8, 2000  
AYES: Antenore, Joe, Martin, Theoharis, Mills, Richardson  
ABSENT: Chinchilla
6. 2000.209C (MILLER: 558-6344)  
1470 PINE STREET, north side between Polk and Larkin Streets, Lot 7A in Assessor's Block 645 --Request for authorization of a CONDITIONAL USE for a FIBER-OPTIC TELEVISION and TELECOMMUNICATIONS CABLE EQUIPMENT INSTALLATION in an existing one-story building, in the Polk Street Neighborhood Commercial District and an 80-A Height and Bulk District.  
Preliminary Recommendation: Approval  
**(Proposed for Continuance to June 15, 2000)**  
SPEAKER(S): None  
ACTION: Continued to June 15, 2000  
AYES: Antenore, Joe, Martin, Theoharis, Mills, Richardson  
ABSENT: Chinchilla
7. 2000.078G (KOMETANI: 558-6478)  
580 HOWARD STREET, north side between First and Second Streets. Lot 91 in Assessor's Block 3721 -- Request for approval under Planning Code Sections 1106 and 1107 to change the boundaries of the New Montgomery-Second Street Conservation District to include the subject property and to upgrade its Article 11 designation from "Category V, Unrated" to "Category IV, Contributory."  
(Continued from Regular Meeting of May 11, 2000)



**(Proposed for Continuance to July 6, 2000)****SPEAKER(S): None****ACTION: Continued to July 6, 2000****AYES: Antenore, Joe, Martin, Theoharis, Mills, Richardson****ABSENT: Chinchilla****B. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**SPEAKER(S):****Richard Burke**

- He lives in the Polk Street District.
- He is here for an item but apparently he can't address it directly.
- When he went out as the "public" to try to get support for his cause, he was told by the Planning Department that if he went to a 3-block area and got 20% or more of the merchants opposed, he would then be entitled to a conditional zoning hearing. Apparently, this is not true.
- He followed the rules as it was explained to him to get a zoning hearing, and it never happened.

**Norman Rolf - San Francisco Tomorrow****Re: Mission/Steuart Hotel**

- He would like the Commission to not certify the EIR because it has errors and misstatements of facts.
- It's time to send a message to EIR writers that they have to produce documents that state the facts fairly and accurately as well as reports written with the welfare of the public as their first concern and not that of a private, special interest.
- The Embarcadero Freeway was approved by many government officials, yet later it was admitted to have been a mistake -- the Mission/Steuart hotel might be one too.

**Patricia Vaughey**

- Design guidelines were written for Telecommunications projects to protect the neighborhood.
- There is a project at Broadway and Van Ness which is across the street from a school and senior housing. She would like the Commission to look closely into the design guidelines on this issue because this breaks all of the guideline principals.

**Lloyd Schoegel****RE: 554 Mission Street**

- This proposed large building is certain to be disruptive to all the buildings including Golden Gate





University which is located next door.

- There is another large new building across the street which is 23 stories high. There is a lot of underutilized office space in the area. The priority should be to rent this under used space.
- At present, in the square block between Mission and Market, there are at present 10 buildings, 20 to 40 stories high.
- The proposed project should be rejected.

**Sue Hestor**

*RE: 2601 Mission Street/Bay View Bank Building*

- This building is in a zone where you cannot have a single use/space more than 600 sf (anti-chain store provisions) this also applies to office space.
  - The building is 90,000 sf, the landlord removed all of the non-profits and Spanish media and rented it out to Bigfoot.com
  - There are pending applications, the only one is to put more antennas on the roof.
  - The organizations who were displaced were real community-serving organizations and community-serving businesses.
  - She would like to have a conditional use hearing so the ZA can enforce the code on the building.
- RE: American Can Company Buildings on Third Street (American Industrial Complex).*
- There was an article about this on the front page of last week's Examiner - The Panni Dolce eviction.

- The owner has decided to get rid of all the tenants that face Illinois Street.
- These buildings are being emptied out. The landlord is raising the rent as a way to get people out and put Dot.Coms in there.
- Would like Commission to start regulating things.

**Jake McGoldrick - Richmond Community Association**

- There is a problem with defacto demolitions going on throughout the city.
- 269 Collins Street - This building is undergoing an addition, yet the building is practically demolished.
- These buildings applied for permits to remodel yet they are just being demolished.
- These types of things are becoming scandalous.
- There are other buildings that were supposed to be rehabilitated and they have been demolished (710 10th Avenue).

**David Osgood - Rincon Center Association**

Regarding the EIR of the Mission/Steuart Hotel

- There are a lot of unresolved issues with the EIR
- Would like to have Commissioners vote against this project.

**C. COMMISSIONERS' QUESTIONS AND MATTERS**

8. Consideration of Adoption - draft minutes of 2/24/00 and 5/18/00.

**ACTION: Approved**

**AYES: Antenore, Joe, Martin, Theoharis, Mills, Richardson**

**ABSENT: Chinchilla**

9. Commission Matters

**Commission Joe:**

1) She would like the Department to cooperate and provide information requested by Mr. Joe LaTorre of the Mayor's Office of Housing so he can respond in 10 days.

Gerald Green (responded to Commissioner Joe's request):

The Commission took an action on 5/25/00 with a +3-1 vote which meant that the



motion to not take DR and not add any fee or not require any action as suggested by the guidelines. The Commission opted not to do so. Therefore, there is a +3-1 decision on a motion that did not include referring this to the Mayor's Office of Housing for a fee to be calculated. On July 13, 2000 this case will come back to a full Commission to make a decision.

2) She would like a copy of the letter sent by Mr. Joe Latorre of the Mayor's Office of Housing.

3) She would like Department to look into the impact of the relocation of the non-profits at the 2601 Mission Street Building and the American Can Company.

#### D. DIRECTOR'S REPORT

10. Director's Announcements.  
**None**

11. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.  
BOS  
**None**

BOA  
**None**

#### E. CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED

12. 2000.235D (M.SNYDER: 575-6891)  
175 BREWSTER STREET, east side between Esmeralda Avenue and Joy Street, Lot 12 in Assessor's Block 5577 -- Request for Discretionary Review of BPA No. 9924021 proposing to construct a single-family house on a vacant lot within an RH-1 (House, One-Family) District, a 40-X Height and Bulk District, and the Bernal Heights Special Use District.

Preliminary Recommendation: Do not take DR and approve the Building Permit application as submitted.

(Continued from Regular Meeting of May 18, 2000)

**Note: On May 11, 2000, the Commission passed a motion of intent to take Discretionary Review and have the proposed design modified by removing the top floor. Staff was instructed to verify the correct property survey. The vote was +6 -0. Commissioner Mills absent.**

SPEAKER(S): **None**

ACTION: **Take DR. Approved as modified by removing the top floor.**

AYES: **Antenore, Joe, Martin, Theoharis, Mills, Richardson**

ABSENT: **Chinchilla**

13. 1999.243D (BANALES: 558-6339)  
1247 HARRISON STREET AND 428-8TH STREET, south side of Harrison between 8th and 9th Streets, Lot(s) 063, 065, 066 in Assessor's Block 3757 -- Request for discretionary review on an application that is proposing to demolish the existing building on site and construct three new live/work buildings containing a total of 64 units. The proposed project is in an Industrial Protection Zone, a Service/Light Industrial (SLI), District, and a 40-X Height and Bulk District.



Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.

(Continued from Regular Meeting of May 11, 2000)

**Note: On May 4, 2000, following public testimony, the Commission closed the public hearing. A motion to not take discretionary review and approve the proposal failed to carry by a vote of +3 -2. Commissioners Antenore and Joe voted no. Commissioners Mills and Martin were absent.**

**SPEAKER(S): None**

**ACTION: Without hearing, case continued to July 13, 2000**

**AYES: Antenore, Joe, Martin, Theoharis, Mills, Richardson**

**ABSENT: Chinchilla**

14. 2000.113D (MILLER: 558-6344)

1552 POLK STREET, southeast corner at Sacramento Street, Lot 1 in Assessor's Block 644 -- Request for Discretionary Review of BPA 9925357 for tenant improvements to a portion of a building (approximately 1,700 square feet of floor area) for use as a "Blockbuster" video rental establishment.

Preliminary Recommendation: Take Discretionary Review and approve with conditions

(Continued from Regular Meeting of May 11, 2000)

**Note: On May 4, 2000, following public testimony the Commission closed the public hearing. A motion to take discretionary review and approve with conditions failed to carry by a vote of +3 -2. Commissioners Antenore and Joe voted no. Commissioners Mills and Martin were absent.**

**Note: On May 11, 2000, a motion to approve failed to carry by a vote of +3 -3. Commissioners Joe, Martin and Antenore voted no. Commissioner Mills absent. Continued to June 1, 2000.**

**SPEAKER(S): None**

**ACTION: Motion of intent to disapprove with a report of final findings to be presented on June 8, 2000.**

**AYES: Antenore, Joe, Martin, Mills**

**NAYES: Richardson, Theoharis**

**ABSENT: Chinchilla**

## F. REGULAR CALENDAR

15. 1998.604E (NAVARRETE: 558-6163)

Mission/Steuart Hotel, Northeast corner of Mission and Steuart Streets, Lots 6, 7, 8, 9 and 17 in Assessor's Block 3714--Certification of the Final Environmental Impact Report prepared for the proposed Project pursuant to the California Environmental Quality Act (CEQA) as accurate and complete. The "Project" consists of General Plan and Zoning Map amendments, a finding of consistency with the General Plan, as it is proposed to be amended, for a change of use on the Project Site (a City-owned property) from a public use (MUNI bus layover) to a private use (hotel, retail and restaurant); a Conditional Use authorization for a hotel use, a granting of a Parking Variance, and other authorizations to facilitate the construction of the hotel project. Preliminary Staff Recommendation: Certification.

(Continued from Regular Meeting of May 11, 2000)

**Note: On December 16, 1999, public hearing was closed.**



**Point of Order:**

**Sue Hestor**

- Does not agree that public comment was closed on this item.
- The public only had access to the Draft EIR and they never saw the responses.
- This item is on the calendar, therefore should be able to have public comments.

**SPEAKER(S): None**

**ACTION: Certified**

**AYES: Antenore, Joe, Martin, Theoharis, Mills, Richardson**

**ABSENT: Chinchilla**

**MOTION NO: 15074**

16. 1998.604E (NAVARRETE: 558-6163)

Mission/Steuart Hotel, Northeast corner of Mission and Steuart Streets, Lots 6, 7, 8, 9 and 17 in Assessor's Block 3714--Consideration of adoption of findings pursuant to CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code. Preliminary Staff Recommendation: Approval.

(Continued from Regular Meeting of May 11, 2000)

**SPEAKER(S): See list under item 17a.**

**ACTION: Public Hearing Closed. Approved.**

**AYES: Antenore, Joe, Martin, Theoharis, Mills, Richardson**

**ABSENT: Chinchilla**

**MOTION NO: 15075**

- 17a. 1998.604EKMZCRV (BEATTY: 558-6163)

Mission/Steuart Hotel, Northeast corner of Mission and Steuart Streets, Lots 6, 7, 8, 9 and 17 in Assessor's Block 3714--Consideration of the authorizations listed below in order to allow the construction of a hotel ranging in height from 40 feet to approximately 84 feet, with approximately 200 to 210 rooms, and with accessory retail, restaurant and meeting room space on City-owned property currently used as a lay-over yard for San Francisco Municipal Railway (MUNI) buses and proposed to be leased my MUNI to the hotel developer who will lease the hotel to a hotel operator.

Preliminary Staff Recommendation: Approval

(Continued from Regular Meeting of May 11, 2000)

**SPEAKER(S):**

**Michael Burns - General Manager of MUNI**

- He is very please to present MUNI's first joint development project.
- This project grew out of a 1996 directive from the Public Transportation Commission to explore opportunities for better utilization of MUNI assets.
- This project has the potential for a very attractive use of the project by being consistent with the mid-Embarcadero development and the General Plan. This project has the potential to dramatically improve the transit friendliness of the area and most importantly it will increase transit usage to this part of the City.
- Issues that needed to be considered 1) What are the MUNI transit impacts on employees and customers? 2) What are the financial aspects of the deal? 3) What are the operational impacts?
- There will be 6 lines that will be relocated. Three of the lines (21, 71, 7) are planned to layover on the eastern side of Steuart Street.
- Two additional lines (9 - will layover on Main Street and the 31 will layover on Mission Street just east of Main Street). Just two blocks from the existing layover facility.
- Other lines (6 and 2) will be relocated to the Transbay Terminal.
- There is consideration of a swap between the 21 with the 2 to provide a transit connection to the Sutter Street corridor from the Embarcadero area.
- There will be no major impact on all the lines.





- MUNI has about 2,700 customers serviced in this area.
- There are very few people that use the layover site as an origin or a destination.
- Most passengers access MUNI on Market Street.
- 82% of ferry passengers walk to and from their destination.
- Improved connection to Market Street with the F-line stop at the Ferry Building.
- Four Muni lines remain on Stuart Street.
- BART and MUNI Metro are easily accessible at Embarcadero Station.
- Maintenances is light at the layover facility.
- The 14 Mission line was relocated out of the layout facility about 7 or 8 years ago.
- There is no apparent difference in regards to on-time buses.
- The operational impacts are minimal.
- Firmly believe that the development of this project will generate income to the city.
- Significantly, under Proposition E, these revenues are dedicated to MUNI.
- The developer will provide 1.5 Million dollars for capital improvements for the area.
- This project provides many significant long-term financial benefits for MUNI and the City.

**(+) Chip Conley - Founder of Joie de Vivre Hospitality**

- The company has been in San Francisco for 13 years and they specialize in small, boutique hotels.
- They were selected about 2 years ago for the project.
- They will provide many amenities for the neighborhood : 1) a design concept which is complementary to all the variety of the mid-Embarcadero projects that are occurring including the adaptive re-use of the Ferry Building which allows for more weekend and nighttime activities. 2) Easy access to the new trolley "F" line stop. They are funding the cost of the trolley stop and free retail space to the non-profit Market Street Railway Company for a trolley memorabilia retail shop. 3) Bathrooms (including janitorial staff) for the MUNI drivers. 4) Enhancement of the art piece of the ILWU. 5) Hotel will be union built and union operated. 6) A teen mentor ship program and job training program for youth. and 7) a sidewalk cafe.
- This will be a transit-friendly hotel by providing MUNI fast passes to employees, and BART tickets for guests from the hotel to SFO.

**(+) Clark Manus - Project Architect**

- Site constraints include: Proposition K shadow plane at Justin Herman Plaza South, MUNI vent shaft at northeast section of the site, turn back tunnel structure which is underneath the site, the "F" line, the ILWU commemorative piece, and a piece of land that's on the Embarcadero side.

**(+) Roberta Acktenburg**

- She is here on her behalf and on behalf of the San Francisco Chamber of Commerce.
- This project is a win for the City, MUNI, the hospitality industry, numerous increases in jobs for San Franciscans, youth, the Waterfront, and the quality of life in San Francisco.
- She will love to get on a MUNI line at her home in Noe Valley and travel to the Embarcadero and enjoy the benefits that these developers will provide.

**(+) Ray Patlan - Local Artist**

- He and 9 other artists were commissioned to design a commemorative piece that stands on the corner of Mission and Stuart Streets.
- This project will enhance the area not only for the art peace but also with the other benefits.



**Cathy Riggins - Embarcadero YMCA**

- There will be adequate parking after the construction of the hotel, which was a concern for the YMCA.

- She was happy to hear that passes would be given to employees.

**(+) Michael Dellar - Co-proprietor of One Market Restaurant**

- They have taken an active interest with MUNI. They have had many meetings with MUNI and their consultants.

- As a neighborhood retailer, he is excited about this project.

- All of the other food service establishments are in agreement with the construction.

**(+) Tho Do - Secretary/Treasurer of Local 2 Union**

- The union supports the project because the developer has respected the needs of union members, the new hotel development will create many union jobs with many benefits to the members; they respect the union to organize, etc.

- The ILWU sculpture will be permanently displayed.

- Would like Commission to approve this project.

**(+) Kelly Cullen - Executive Director of Tenderloin Neighborhood Development Organization**

- The neighborhood was amazed and delighted when they opened a hotel in the tenderloin area.

- He has known the developer for many years and knows that they have worked with the community.

- This project is a transit -friendly project.

**(+) Jim Haas - Chair, Committee for Waterfront Organ Pavilion**

- Has been involved in the neighborhood for more than a decade.

- Before the area was a layover for MUNI, it was just a wasteland created from the 1958 freeway. The area was not very attractive, therefore constructing a beautifully-designed hotel will improve the area.

- The architect designed the hotel to be compatible with the organ project.

- An EIR for the organ pavilion project will be applied for right away.

- Would like Commissioners to support the project.

**(+) Sue Backman**

- She has the largest retail tenant of the Rincon Center which is directly across the street of the project. She is in support of the project.

- In 1993, they were approached by the owners of the Rincon Center to create a nighttime and weekend destination venue in a neighborhood which closed early in the evening. Therefore, Chaulker's was created.

- There is much more activity and the neighborhood is increasingly more dynamic.

- The hotel developers have address the parking issues.

- MUNI can use the revenue which it will receive.

**(+) Jim Mathias**

- Read a letter from Tom Redulevitch, BART Director from District 9, which is in support of the project.

- Many joggers have plenty of room now to peacefully jog and have a nicer view than a lot filled with buses.

**(+) Ellen Kwan - Representing Chinatown Transportation Research and Improvement Project.**

- This project has been around for about 25 years. It was formed since the 1976 MUNI bus strike. TRIP has always been concerned about transportation, with transit as number 1.

- This project is truly needed for MUNI to increase their service and make service



better.

- Although MUNI has to redirect their buses, the benefits for MUNI are much greater than re-directing traffic.

**(+) Jim Chapel - SPUR**

- They have been involved in the redesign of this neighborhood for about 20 years.
- They have wanted to get rid of that bus yard and replace with something better and nicer.
- This is a way for MUNI to turn an underutilized resource into income.
- Having private/public partnerships is the way of the future.
- Hotel is the ideal use. It is the most public of all public uses and requires very little parking.
- This is an ideal project all the way around.

**(+) Charles Hardy**

- He works at Boulevard Restaurant.
- He takes MUNI to work.
- The windows of the restaurant will show a nicer view than the present lot.

**(+) Frederick Hobson**

- This project is in District 6 - Tenderloin/Civic Center.
- Founder of an organization called People that Care about San Francisco.
- His concerns have been answered.
- This project will have art growth.
- This project will replace an ugly-looking site.
- This project is union friendly and that's nice to see in the corporate world.

**(+) Rick Laubscher - Small Business Owner, member of the Board of the Market Street Railway**

- They support MUNI's operation of historic transit in San Francisco.
- This project will generously provide income to MUNI for improvements.
- They will have a location in the building to serve as a Transit Museum.
- The relocation of the current bus lines will serve public better.
- This development will be the most transit-oriented project ever.

**(+) Paul Zeiger - President of the local marketing**

- This is a wonderful proposed project.
- They are constantly frustrated with the lack of hotels in San Francisco.
- This will also be a visual benefit to the area.
- This project will provide much needed income to transit.

**(+) Nancy Ellen - Lives at Rincon Center and owns a retail store there.**

- The busses provide odors and sloppiness to the area.
- The structure will not block anybody's views.
- Welcomes this addition to the neighborhood.
- Even though there are 2 other hotels in the area, there is still much needed space for hotel guests.

**(+) Doug Wright -**

- Read a letter of Rudy Nothemberg who served as the City's Chief Administrative Officer, General Manager of the PUC, and most recently as the president of the Transportation Commission.
- Urges Commission to move forward on this project.

**(+) Kim Martinson - Executive Director of the Transportation Management Association**

- Confirms the commitment of the project sponsor to become a member of their organization.



- She commends the developer for the effort to offer MUNI passes to employees and BART tickets for guest.

**(+) Ray Antonio - President of Transport Local Union**

- Represents MUNI operators.
- The issues brought up during construction and post construction have been addressed.

**(+) Ken Maylee - Long time user of the Embarcadero**

- Supports the project as it is, as well as the project developer.

**(-) Norman Rolf - San Francisco Tomorrow**

- A previous speaker mentioned that they have concerns on this project but in reality they are totally opposed. Citizens for a Better District 6 are opposed to this project as well.
- Transit first is the city policy and is established in the City Charter.
- This project will make MUNI operations more expensive and more difficult, less in service reliability, and degrade passenger ambience.
- The lay over terminal should be improved properly in accordance with the mid-Embarcadero plan.

**(-) Michael Levin -**

- He is a 7 day a week MUNI rider, he is very concerned about what happens with MUNI.
- He is not totally opposed to constructing a hotel on this site yet he wants to be persuaded that this is a good project.
- He has great respect for the developer.
- The current design does not complement the buildings in the area.
- There have been very poorly designed buildings in the City.

**(-) Dave Osgood - Representing Rincon Center Tenants Association**

- There is no information provided to back up the data on transit.
- MUNI has neglected this site.
- There have been a lot of letters written to newspapers regarding concerns about traffic.
- There are many articles regarding transit in the newspapers recently.

**(-) Gerald Cauthen - Transportation Engineer**

- He came to San Francisco about 30 years ago.
- He is worried about the infrastructure and it's ability to keep up with what is happening to the City.
- It is obvious that MUNI is barely keeping up with the status quo.
- The key issue is the way the streets are formed in San Francisco.
- It is advantageous to have an off street facility.
- It is impossible to compare an ugly facility to a beautiful hotel.

**(-) Garret Jenkins - President of the North Market Planning Coalition**

- The traffic impact will increase.
- One of the reasons the Embarcadero Freeway came down was to get a better view of the bay. There are 20 other projects that are being planned on the waterfront which means that the open space will be lost. There are restaurants being planned even closer to the bay which will block the view even more.
- The proposed hotel project will bring MUNI a lot of money, yet if the corporate citizens really wanted to improve MUNI service, they would accept a transit assessment.

**(-) Lloyd Schloegel**

- The most important aspect of this site is the transit use.





- This project is located in front of the Ferry Building.
- There are many more hotels located around this location therefore there is enough hotel space.
- MUNI should not be in the hotel business, it should take care of its transit problems.
- This project should be rejected.

**(-) Ron Mitchel - GLNB Worksite Committee Member at Potrero Division for MUNI**

- He is not here to talk about "up" the hotel or "down" the hotel. He is concerned about the planning of where the buses are being parked.
- This issue has been talked about in various GLNB Worksite Committee meetings he has been to.
- The 31 and 9 lines will be put on Main and Mission. These lines are brutally heavy traveled lines. There is already a lot of traffic at this location therefore would like to have these lines layover at another location.
- One idea that came out of these Committee meetings was having all the downtown trolleys go to the Transbay terminal and maybe putting the motor coaches in another spot. Having the trolleys in one spot is better for maintenance and switch trolleys if necessary.

**ACTION: NONE. DESCRIPTION OF PROPOSED PROJECT FOR ITEMS 16 & 17b-f**

- 17b. 1998.604K (BEATTY: 558-6163)  
 Determination, pursuant to Planning Code Section 295, of whether the proposed project's shadow would result in any adverse impact on the use of the adjacent property known as Embarcadero Plaza II-South (Justin Herman Plaza South) under the jurisdiction of the Recreation and Park Commission.  
 Preliminary Staff Recommendation: Approval.  
 (Continued from Regular Meeting of May 11, 2000)  
 SPEAKER(S): **See Speakers for Item 17a.**  
 ACTION: **Approved**  
 AYES: **Antenore, Joe, Martin, Theoharis, Mills, Richardson**  
 ABSENT: **Chinchilla**  
 MOTION NO. **15076**
- 17c. 1998.604M (BEATTY: 558-6163)  
 Application under Planning Code Section 340 to amend Map 2 (Height and Bulk Plan) of the Northeastern Waterfront Element of the General Plan to change the designation of the subject site (Lots 6, 7, 8, 9 and 17 of Assessor's Block 3714) from O.S. (Open Space) to 84-E designation.  
 Preliminary Staff Recommendation: Approval.  
 (Continued from Regular Meeting of May 11, 2000)  
 SPEAKER(S): **See Speakers for Item 17a.**  
 ACTION: **Approved**  
 AYES: **Antenore, Joe, Martin, Theoharis, Mills, Richardson**  
 ABSENT: **Chinchilla**  
 MOTION NO. **15077**
- 17d. 1998.604Z (BEATTY: 558-6163)  
 Application under Planning Code Section 302 to amend the official zoning maps of the



City and County of San Francisco to change the height and bulk district classification of Lot 17 of Assessor's Block 3714 from O.S. (Open Space) to 84-E and to change the use district classification for the subject site (Lots 6, 7, 8, 9 and 17 of Assessor's Block 3714) from a P (Public) district to a C-2 (Community Business) district.

Preliminary Staff Recommendation: Approval.

(Continued from Regular Meeting of May 11, 2000)

SPEAKER(S): **See Speakers for Item 17a.**

ACTION: **Approved**

AYES: **Antenore, Joe, Martin, Theoharis, Mills, Richardson**

ABSENT: **Chinchilla**

MOTION NO. **15078**

17e. 1998.604CR (BEATTY: 558-6163)

Application for a conditional use authorization under Planning Code Section 303 , which provides procedures and required findings for conditional use authorization, and under Planning Code Section 216(c), which requires a conditional use authorization for hotels in the new "C-2" district, with exceptions from the bulk limitations of the 84-E height/bulk district pursuant to Planning Code Section 271. Also, consideration of a Finding of Consistency with the General Plan, as it is proposed to be amended, for the change of use of the above-referenced City-owned properties from public use for MUNI to a private hotel use on property to be leased to the hotel developer and operator.

Preliminary Staff Recommendation: Approval

(Continued from Regular Meeting of May 11, 2000)

SPEAKER(S): **See Speakers for Item 17a.**

ACTION: **Approved**

AYES: **Antenore, Joe, Martin, Theoharis, Mills, Richardson**

ABSENT: **Chinchilla**

MOTION NO. **15079**

Concurrent with the Planning Commission hearing on the authorizations listed above, testimony will be heard by the Zoning Administrator on the following variance application:

17f. 1998.604V (BEATTY: 558-6163)

Application under Planning Code Section 305 for an off-street parking variance for the proposed approximately 200 to 210 room hotel project described above. Planning Code Section 151 requires 30 to 34 independently-accessible off-street parking spaces for the proposed hotel, restaurant and retail uses in the proposed C-2 zoning district. The applicant proposes to provide nine independently-accessible parking spaces on the project site, which can accommodate up to 17 vehicles through a valet operation.

Preliminary Staff Recommendation: Approval.

(Continued from Regular Meeting of May 11, 2000)

SPEAKER(S):

**Larry Badiner** - Public hearing closed. This project has had significant review over a number of years. Staff believes that this project follows the master plan as well as MUNI's plan to provide a funding facility for them. Recommends approval.



18. 2000.023C (LeBLANC: 558-6351)  
1731 - 1741 POWELL STREET, on the west side at Columbus Avenue; Lot 004 in Assessor's Block 0101 -- Request for Conditional Use authorization to:(1) operate a live theater, (2) a bar and (3) a use exceeding 2,000 square feet in the building previously known as the Pagoda Theater in the North Beach Neighborhood Commercial District and a 40X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.  
(Continued from Regular Meeting of May 25, 2000)  
SPEAKER(S):
- (+) Jim Reuben - Reuben & Alter assisting Lerum Corporation**  
- This project will provide a state-of-the-art live theater in a now vacant structure on a prominent corner in the middle of the North Beach Commercial District.  
- Theater goers will definitely patronize the surrounding restaurants and bars.
- (+) Doug Alles - CEO of Lerum Corporation**  
- The project is to renovate the now vacant Pagoda Palace Movie Theatre into a live theatre. The building was originally built in 1908 as a live theatre and converted into a movie theatre in 1937.  
- The original tall plate sign will be kept since it is the last remaining piece of history and an important symbol to the neighborhood.  
- The original balcony will be restored.
- (+) Ken Maley - Resident of North Beach**  
- This is a return to live theatre.  
- Strongly supports bringing cultural activity to the City and to North Beach in particular.  
- Encourages the Commission to approve this project.
- (+) Brad Kelly - Partner and General Manager of Little City Restaurant**  
- He supports the project since the location of the theatre can contribute to the survival of the surrounding business owners.  
- The proposed theatre project is the perfect liaison between the cultural experience and economic growth of the neighborhood.  
- A lot of the businesses and restaurants and bars are very committed to solving problems they might have.
- (+) Marshall Garland - Executive Director of the North Beach Chamber of Commerce**  
- After the fight with Right Aide, the community was afraid of what would be proposed for this site.  
- She is truly grateful with Lerum Corporation for proposing such an wonderful idea to bring back more theatre and doing it in a way that is contemporary.  
- 50 years ago, theatre went into a slump because of television, it is now time to bring back
- (+) Julie Christensen - She has either lived or worked in North Beach for 21 years.**  
- She has appeared before the Commission many times to oppose, yet this proposal is a wonderful idea.  
- She is for rational, reasoned, sensible, progressive change.
- (+) Gerrie Crowley - Immediate Past President of Telegraph Hill Dwellers.**  
- The dwellers support this project quite strongly.  
- Their concerns have either been resolved or are in the process of being resolved.  
- She is happy that the building will remain as it's original purpose: a theatre.  
- Urges the Commission to approve this project.



**(+) Ann McGuire - Lives a few blocks from the proposed theatre**

- It's very nice to have someone to come into the community and give that much time and energy.

**(+) June Osterberg - Long time North Beach Resident**

- She represents the near neighbors to the theatre.

- She has lived just across the street from the proposed project for over 30 years.

- There have been many proposals for this site, but the neighbors have opposed all of the them.

- She believes that the live theatre proposal will enhance the neighborhood.

**ACTION: Approved**

**AYES: Antenore, Joe, Martin, Theoharis, Mills, Richardson**

**ABSENT: Chinchilla**

**MOTION NO. 15088**

19. 2000.113C (CHIN: 575-6897)

**2000 VAN NESS AVENUE**, northeast corner at Jackson Street; Lot 005 in Assessor's Block 0595 - Request for Conditional Use authorization pursuant to Section 209.6 of the Planning Code to install a total of sixteen Antennas and a base transceiver station on an existing eight-story over basement building as part of Metricom's wireless Internet network in an RC-4 ( Residential/Commercial, High Density) District and a 80-D Height and Bulk District.

Preliminary Recommendation: Approval with conditions

**SPEAKER(S): None**

**ACTION: Approved with Staff Conditions**

**AYES: Antenore, Joe, Martin, Theoharis, Mills, Richardson**

**ABSENT: Chinchilla**

**MOTION NO. 15080**

**(+) Robert McCarthy - McCarthy and Schwartz**

- The antennas will be flush-mounted each of which only generate 10 watts of power.

- Mr. Hammet read the EIR report to state that one sector was moved away from anybody.

20. 2000.289L (KOMETANI: 558-6478)

**700 MONTGOMERY STREET, THE COLUMBUS SAVINGS BANK BUILDING**, northeast corner of Montgomery and Washington Streets; that portion of Assessor's Block 196, Lot 8 occupied by the subject building -- Request for Planning Commission approval of a proposed landmark designation which was initiated by the Board of Supervisors. The subject property is a Compatible building in the Jackson Square Historic District, is zoned C-2 (Community Business) District and is in a 65-D-2 Height and Bulk District. Preliminary Recommendation: ~~Approval~~ No Recommendation

**SPEAKER(S):**

**(+) Angela Alioto**

- This is a truly historic site and building.

- This building survived the 1906 earthquake.

- This is a jewel of a building for San Francisco and should be classified as a San Francisco Landmark.

**(+) Supervisor Becerril**

- This building is an incredible addition to the Landmarks Board's list.

- This was a pre- 1906 earthquake and fire survivor.





**(+) Marsha Garland - Executive Director of the North Beach Chamber of Commerce**

- North Beach has shrunk over the years but historically it really begins at the intersection Ms. Alioto referred to.
- This building should be landmarked.

**(+) Gerry Crowley - Immediate Past President of Telegraph Hill Dwellers**

- This building is cherished by the neighborhood.

**ACTION: Approved to become Landmark No. 212**

**AYES: Antenore, Joe, Martin, Theoharis, Mills, Richardson**

**ABSENT: Chinchilla**

**RESOLUTION No: 15089**

**AT APPROXIMATELY 5:00 P.M. THE PLANNING COMMISSION CONVENED INTO A SPECIAL DISCRETIONARY REVIEW (DR) HEARING.**

21. 1999.639D (ARCE: 558-5986)  
265 TINGLEY STREET, on the south side of the intersection of Tingley Street and San Jose Avenue, Lot 048 in Assessor's Block 6781 -- Request for Discretionary Review of BPA No. 9505908S, proposing to construct a new single-family house on a vacant lot in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: No recommendation at this time.

(Continued from Regular Meeting of May 18, 2000).

**Note: On February 3, 2000, following public testimony, the Commission closed the public hearing and continued this matter to 2/17/00 with instructions to staff to explore and address traffic concerns.**

**The vote was +7 -0.**

**SPEAKER(S): None**

**ACTIONS: Without further hearing, continued to July 20, 2000**

**AYES: Antenore, Joe, Theoharis, Mills**

**ABSENT: Chinchilla, Martin, Richardson**

22. 2000.274D (MARTIN: 558-6616)  
1230 - 18TH STREET, north side, between Texas and Mississippi Streets, Lot 013A in Assessor's Block 4001 -- Request for Discretionary Review of BPA No. 9912693S, proposing to add a third floor to an existing two-story, one-unit building, setting it back approximately sixteen feet from the existing second story, for a height of approximately 37 feet. Additionally, the applicant would construct a two-car garage, with two garage doors, move the existing curb cut, and make interior renovations in an RH-3(Residential, House, Three-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.

**SPEAKER(S):**

**(-) Steve Williams - Representing the DR Requestor**

- There seems to be some confusion with the height of the buildings.
- The project property is already larger than the other homes.
- The staff doesn't want to talk about the adjacent buildings.
- There are two lot line windows facing east.
- There is a lot of room for compromise and reduction.



- The project will cause a loss of a rental unit.
- There is no additional parking being added.
- Would like Commission to reduce the project in size.

**(-) Gary Shawley - DR Requestor**

- He had intruders come into his home twice.
- The proposed structure will be an invasion of privacy.
- There is a petition from 85 of the neighbors to reduce the project in size.

**(-) Judy Shawley - wife of DR Requestor**

- They have had intruders come into their home twice.
- Why does the proposed construction have to have a window on the lot line?
- They have tried to compromise to no avail.
- The project is huge and out-of-scale.

**(-) Leland Van Winkle - co-DR Requestor**

- He has a 6-unit building across the street from the proposed project.
- He presently enjoys an open space feeling.
- The scale of the project is so great and out of place. The two adjacent owners would have to build up to protect or maintain their investments - removing his open space feeling.
- The scale gives the appearance that this project would be built by a full time developer yet this project is being done by a first time developer.
- The construction would remove rental units, therefore, would be decreasing affordable housing in the City.
- He would like to encourage the property owners to be patient and go back to their first choice and find the ideal house, even keeping 1230 18th Street as an investment but without the need of this major construction.

**(-) David Luth - Mechanical Engineer**

- The guidelines stress consideration on the impact of adjacent buildings.
- This proposal should be brought down in size.
- There is a problem with the scale of the building in regards to shadow effect on the neighbor's house.

**(-) Ed Schumer - 13 year resident of Potrero Hill**

- Project is out of scale to the rest of the neighborhood.
- Would like to have modest modifications to the proposed unit.

**(-) Rebecca de Guzman - Tenant of one of the studios at 1297 18th Street**

- She has been a tenant there since 1994.
- She is also a member of the San Francisco Tenants Union because she has been concerned about the loss of rental units and decrease of the quality of life to renters in San Francisco.
- She is against the project because of the loss of family rentals.
- It has been brought up that MUNI has approved this but that the garage would interrupt the MUNI bus stop.
- The building addition is out of scale and not appropriate with the rest of the neighborhood.
- Would like to urge the Commission to consider renters and the quality of life to residents of Potrero Hill.

**(+) Robert May - Project Sponsors**

- There was a secret brief that was sent out to the Commissioners and he wasn't aware of this. There seems to be many discrepancies in this brief.
- The DR representative states that there is a letter from a tenant who was evicted yet he has an e-mail from the same tenant stating that he wasn't evicted.



**(+) Robert Poyas - Neighbor lives at 1206 18th Street**

- 10 years ago, he went through a similar process of a neighbor making an addition to his home.
- The property owner came to him for advice on how to go about doing this because he wanted to be sensitive to the community.

**(+) David Teeters - Project Architect**

- A lot has been talked about regarding the residential design guidelines.
- There are buildings that range from 40 to 45 feet in height on both sides of the street.
- Regarding the scale of the building, no one has suggested what exact scale would be appropriate.

**(+) John Sweeney - 10-year resident of Potrero Hill**

- He is familiar with the review process since he protested a proposed addition - he lost the appeal and none of his concerns were taken into consideration. After the addition was completed, he realized that his conception of the project was not correct and his concerns were not ignored after all.
- A year later he went to apologize to his neighbor.

**(+) Sue Mell - Tenant at 285 Texas Street**

- She has lived at this rental unit since 1995.
- Has no objections or reservations regarding the construction.
- The DR requestors have never come to her to get her opinion.

**(+) Martha Cook -**

- She is co-homeowner of proposed project.
- There was a flier that was posted throughout the neighborhood demanding they stop the construction of their monster home.

**(+) Marsha Cook**

- She is the mother of Martha Cook.
- She lives in Michigan and she will be moving into the addition of the proposed project.
- This project has been delayed several times.

**ACTION: Take DR to make changes proposed by ZA: Property line windows to be removed, deck to be moved to the left hand side of the building, move ladder to the other side of the deck if building code allows.**

**AYES: Antenore, Joe, Theoharis, Mills**

**ABSENT: Chinchilla, Martin, Richardson**

Adjournment: 6:23 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JUNE 15, 2000.**



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10  
/ 5/00

# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, June 8, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT

OCT - 3 2000

SAN FRANCISCO  
PUBLIC LIBRARY

PRESENT: Mills, Richardson, Antenore, Joe, Martin, Chinchilla  
ABSENT: Theoharis

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT MILLS AT 1:31 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning, Larry Badiner - Zoning Administrator, Paul Deutsch, Scott Edmondson; John Billovits; Paul Lord; Kelley LeBlanc; Ricardo Bressanutti; Kenneth Chin; Mary Woods; Sailesh Mehra; Julian Banales; Nora Priego, Transcribing Secretary, Linda D. Avery - Commission Secretary.

### A. ITEMS PROPOSED FOR CONTINUANCE

- 2000.457D (CHIN: 575-6897)  
431 - 35TH AVENUE, west side between Geary Boulevard and Clement Street, Lot 007 in Assessor's Block 1467 -- Request for Discretionary Review of BPA No. 20000108558S/ 20000107526, proposing to demolish the existing single-family dwelling and construct a new two-family dwelling in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and approve building permit application as submitted.  
(Proposed for Continuance to June 22, 2000).

SPEAKER(S): None  
ACTION: Continued to June 22, 2000  
AYES: Antenore, Joe, Martin, Mills, Chinchilla, Richardson  
ABSENT: Theoharis





2. 2000.288E (DEUTSCH: 558-5965)  
SEAWALL LOT 337 COMMUTER PARKING, **Appeal of preliminary negative declaration** for proposed expansion of use to permit daily general (commuter) parking in the parking lot on Port property east of Third Street serving Pacific Bell Park, containing about 1,814 spaces. The lot would be open on non-baseball game days from 7:00 a.m. to 7:00 p.m. On afternoon game days, general parking would not be permitted. On weekday evening game days, general parking would be permitted with non-game attending parkers required to exit the lot by 5:00 p.m. General parking would be permitted on weekend non-game days. In addition, the types of temporary uses permitted on the parking lot would be expanded to be consistent with Section 985 of the Planning Code, including 60-day limits for exhibitions, festivals, Christmas tree and Halloween pumpkin lots, etc., and 1- to 5-year limits for temporary uses and structures incidental to construction of a building, rental or sales office incidental to a new development, etc. These proposals, by China Basin Ballpark Company and Imperial Parking, Inc., would require approval by the Zoning Administrator, the San Francisco Port Commission, and the Port of San Francisco.  
Preliminary Recommendation: Uphold Preliminary Negative Declaration.  
**(Proposed for Continuance to June 22, 2000).**

SPEAKER(S): None  
ACTION: Continued to June 22, 2000  
AYES: Antenore, Joe, Martin, Mills, Chinchilla, Richardson  
ABSENT: Theocharis

3. 1999.151E (MALTZER: 558-6391)  
SANITARY FILL COMPANY SOLID WASTE FACILITY PERMIT REVISION; 501 TUNNEL AVENUE; Assessor's Block 4991/Lots 7, 8, 9 and 82 in San Francisco County; and Assessor's Block 152/Lots 030, 340 and 220 (partial) in San Mateo County. **Appeal of Preliminary Negative Declaration.** The Sanitary Fill Company seeks to revise its Solid Waste Facility Permit to allow for: (1) the removal of scheduling restrictions on refuse fleet hauling; (2) an increase in permitted vehicle trips per day; (3) approval to stage and handle source-separated organic waste as a separate waste stream; (4) approval to enclose the construction and demolition debris sort line and increase the hours of sort line operation; and (5) removal of the Household Hazardous Waste Collection Facility from the Solid Waste Facility Permit.  
Preliminary Recommendation: Uphold Preliminary Negative Declaration  
**(Proposed for Continuance to July 13, 2000)**

SPEAKER(S): None  
ACTION: Continued to July 13, 2000  
AYES: Antenore, Joe, Martin, Mills, Chinchilla, Richardson  
ABSENT: Theocharis

4. 2000.269D (ZWIERZYCKI: 558-6263)  
585 LAIDLEY STREET, south side between Castro and Roanoke Streets, Lot 025 in Assessor's Block 6727 - Request for Discretionary Review of building permit application No. 9923677 of proposal to construct a third-story addition on top of an existing two-story single-family residence in an RH-1 (House, One-Family) District and 40-X Height and Bulk District.



Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.

(Continued from Regular Meeting of May 18, 2000)

**Note: On May 18, 2000, following testimony, the Commission closed the public hearing and passed a motion of intent to take Discretionary Review and approve the project with design changes -- show new peeked roof design, add dormers to the rear, and setback building on the side of the DR requestor.**

**(Proposed for Continuance to July 20, 2000)**

**SPEAKER(S): None**

**ACTION: Continued to July 20, 2000**

**AYES: Antenore, Joe, Martin, Mills, Chinchilla, Richardson**

**ABSENT: Theoharis**

## **B. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**SPEAKER(S):**

**Donald Jans -**

- His case involves a hot tub in the lightwell next to his home which creates noise and is directly outside of his window. It is also ruining the garden in his front room.
- His case came to the Commission several months ago.
- The perpetrator appealed and took six months in the appeal. He believes that because the Board of Appeals lacks experience on this subject, the BOA overturned the Commission's unanimous decision. The city has a lawsuit against him for not getting a permit.
- He is asking that the Commission ask Larry Badiner or the Chief Building Inspector to rehear this case in front of the Board of Appeals.

**Rob Corquita - Little Hollywood Committee**

- His committee submitted 25 pages of documents and they were never notified that this case would be heard today.
- He would like a broader part of the community to be notified for the hearing on July 13,



2000.

C. COMMISSIONERS' QUESTIONS AND MATTERS

5. Consideration of Adoption - draft minutes of 5/25/00.  
ACTION: **Approved**  
AYES: **Antenore, Joe, Martin, Mills, Chinchilla, Richardson**  
ABSENT: **Theoharis**
6. Commission Matters  
**Commissioner Antenore:**  
He would like some response to Mr. Jans public comment.

**Larry Badiner:**

He has reviewed Mr. Jans' information and all of the information deals with the building code. Mr. Jans has been communicating with Mr. Cornfield of the Building Department. There is no new planning-related information that Mr. Jans has presented, it is all building code issues. The building department does have the opportunity to request a re-hearing.

D. DIRECTOR'S REPORT

7. Director's Announcements.  
**Gerald Green**  
Regarding the Bryant Square approval: 1) This case has been challenged and appealed to the Board of Supervisors for hearing in the near future; and  
2) There was a hearing before the Housing and Social Policy Committee. The Department participated in this discussion. Concerns that many in the neighborhoods have are about scale and size in development in many of the residential districts as well as commercial development. Staff will continue to work with Supervisor Leno on this issue.
8. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.  
**BOA**  
None
- BOS**  
1) Precidio Hill School  
- This case was settled the Friday before it went to the Board of Appeals.  
- There were some minor modifications in the conditions: 1) confirming that the white zone in front of the school would not be extended 2) reducing the weekend activities from 6 a year to 5 a year.  
2) Asia SF Restaurant at 9th and Howard  
- The BOS overturned the Commission's decision.  
- There was public testimony in support of the restaurant  
3) 2301 Third Street/2501 Third Street and 2601 Mission Street  
- Staff is still investigating these matters and will report to the Commission in the near future.

E. CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED



9. 2000.113D (MILLER: 558-6344)  
1552 POLK STREET, southeast corner at Sacramento Street, Lot 1 in Assessor's Block 644 -- Request for Discretionary Review of BPA 9925357 for tenant improvements to a portion of a building (approximately 1,700 square feet of floor area) for use as a "Blockbuster" video rental establishment.  
Preliminary Recommendation: Take Discretionary Review and approve with conditions (Continued from Regular Meeting of May 11, 2000)  
**Note: On May 4, 2000, following public testimony the Commission closed the public hearing. A motion to take discretionary review and approve with conditions failed to carry by a vote of +3 -2. Commissioners Antenore and Joe voted no. Commissioners Mills and Martin were absent.**  
**Note: On May 11, 2000, a motion to approve failed to carry by a vote of +3 -3. Commissioners Joe, Martin and Antenore voted no. Commissioner Mills absent. Continued to June 1, 2000.**  
**Note: On June 1, 2000, the Commission passed a motion of intent to take Discretionary Review and disapprove by a vote of +4 -2. Commissioners Richardson and Theoharis voted no. Final language 6/8/00.**

**Larry Badiner**

Read the findings into the record: The Commission took the action to deny based on 1) the potential for disruption of transit service; 2) the potential for double parking; 3) there was no demonstrated need for additional video rental service in the vicinity--an area already well serviced by several other such establishments; 3) the recent reduction from 3 to 2 traffic lanes and an the addition of bicycle traffic mixed in with the vehicular lane would increase traffic congestion; 4) substantial opposition expressed by neighborhood merchants and residents; 5) the proposed validated parking would be valet style making it awkward for users who might otherwise just double park; and 6) Polk Street is trying to establish it's character as a neighborhood commercial area of small local business and there is a strong public sentiment that the proposed establishment would not be compatible with that character.

**SPEAKER(S): None**

**ACTION: Take Discretionary Review. Project Disapproved**

**AYES: Antenore, Joe, Mills, Martin**

**NAYES: Richardson, Chinchilla**

**ABSENT: Theoharis**

**F. REGULAR CALENDAR**

10. 1998.953E (NAVARRETE: 558-5975)  
557 FOURTH STREET-- **Public Hearing on Draft Environmental Impact Report.** On Assessor's Block 3776, Lots 119 and 62, the project would demolish an existing building on the southeastern portion of the 70,400-square-foot project site, subdivide the project site into 12 equal-sized air parcels, and construct a four-story, 55-foot-tall wood frame live/work building on each air parcel. A total of 188 live/work units, occupying approximately 227,000 square feet, would be constructed along with approximately 13,000 square feet of retail space for four to six commercial tenants, which would be provided on the ground floor of the two buildings with frontage on Fourth Street. A three-





level underground parking garage would occupy the entire site and would provide 188 private parking spaces (one per live/work unit), 292 public parking spaces, and 2 off-street loading spaces. The garage would be accessible on Welsh and Freelon Streets in the middle of the project block. The project site is in SLI (Service Light Industrial) District, and is in a 50-X Height and Bulk District. **Note: Written comments will be received at the Planning Department until 5:00 p.m., on June 8, 2000.**

Preliminary Recommendation: No action

(Continued from Regular Meeting of June 1, 2000).

SPEAKER(S):

(-) **Stan Smith** - Secretary/Treasurer of the San Francisco Building Construction Trades Council

- He would like to delay the EIR for one week. He has reason to believe that some of the transportation study is lacking.

(-) **Howard Strassner** - **Speaking for the Sierra Club**

- Read from Proposition E because it directly affects the work of the Commission and the Planning Department.
- The Planning Department should not encourage big parking proposals in areas well served by transit because parking garages draw people off transit and into cars which then impede transit. Therefore, in two ways you discourage public transit.
- One of the first directions in the EIR is to discuss the alternative of a smaller garage--If you have less parking, less people would drive because there is less places for people to park.

(-) **Lloyd Schloegle**

- There is no need for housing here because it's not a residential area.
- There are too many proposals for housing in these areas.
- This project is not necessary and should be rejected.

(-) **Sue Hestor**

- This project is in the SLI district and does not allow housing
- The growing demand for live/work is the justification for this project.
- Live/work projects are now being rented out to dot.coms.
- There should be an honest analysis in this EIR which is the Department's current version of office and call it business services and analyze it as being used as dot.coms.
- Was this an arson fire, which makes this site available?
- The traffic study is the biggest problem.
- The project seems to incorporate as a major mitigation measure something that the Commission has no power over which is changing the street pattern.
- Would like to get another week because this issue involves working with transportation consultants and 4 levels of transportation summaries have to be analyzed.

(-) **Jennifer Clary** - **Board of Directors of San Francisco Tomorrow**

- She would like additional time to comment on the EIR.
- She is extremely confused about the policy of the department since they establish an industrial protection zone and allow uses in it that are not allowed in it.
- She really would like time to absorb it.



**(+) Alice Barkley - Representing Project Sponsor**

- She would like the EIR to be modified since the Department of Parking and Transportation is considering reducing Zoe Street from a two way street to a one way Street southbound at the request of some of the residents.

**(+) Joe O'Donahue - Residential Builders**

- Years ago people were against live/work because it wasn't providing parking, now people are against live/work because it is providing parking.
- This project is working for the future.
- Sue Bierman gave her approval on this site a few years ago.
- This is a good planning project.

**ACTION:** Public Hearing Closed. Written comment period extended for two weeks.

**AYES:** Antenore, Joe, Mills, Martin, Chinchilla, Richardson

**ABSENT:** Theoharis

11. 1999.234E (EDMONDSON: 558-5994)  
673-683 BRANNAN STREET/168-178 BLUXOME STREET LIVE/WORK -- Appeal of a Preliminary Negative Declaration: Assessor's Block 3785/Lots 20 & 21 situated on the south side of Brannan Street between 5th and 6th Streets within the South of Market neighborhood. The proposed project would construct four new buildings containing a total of 177 live/work units and 177 parking spaces at 673-683 Brannan Street/168-178 Bluxome Street. The project would demolish an existing 10,000 square foot warehouse structure. Each new structure would be 55 feet tall, and would cover the full lot length and width, from Brannan Street to Bluxome Street. The project site is within an SLI (Service/Light Industrial) zoning district and within the Industrial Protection Zone adopted by the Planning Commission as an interim zoning control.  
Preliminary Recommendation: Uphold Preliminary Negative Declaration  
(Continued from Regular Meeting of May 25, 2000)

**SPEAKER(S):**

**Sue Hestor:**

- There are about 450 units of live/work in 3 projects.
- Does the commission monitor occupancy in live/work projects?
- This project is next to the 6th and Brannan on ramp/off ramp. It is a critical intersection.
- Is there a market need for all these live/work projects? It doesn't seem to be-- not if they are being occupied by dot.com companies.

**Gary Moody:**

- There are such a massive amount of live/work projects in the area.
- These live/work projects are not in compliance with state requirements.
- Things can't be made up as we go along.
- He has talked to state officials and they will look into this and he believes that they will find that San Francisco is not in Compliance.
- He has talked to HUD, the inspector general's office. These projects are not in compliance with their guidelines either.

**Lloyd Schloegle**

- This proposal is in an area which is zoned for service light industry and contains several active local businesses. This is not a residential area.
- From the security standpoint, it's not a good idea to build housing away from



residential areas.

- The proposed area is a vacant lot. This site would be better used as a park.

**Judy West**

- Her project came up previously for a rear yard variance.
- The issue is that in an industrial area, people are building live/work because it seems to be the easiest to build.
- People are not building traditional housing.
- She thinks that in order to solve the housing problems that San Francisco has, requirements that are placed on real housing in industrial areas need to be looked at again.
- No one should build residential on commercial areas until the requirements on residential are looked at.
- There are places more appropriate to build live/work.

**Joe O'Donahue - Residential Builders**

- He believes that 3,000 units of live/work is far short from the 10,000 units that was authorized in the South of Market area.
- Live/work will house contractors, plumbers, architects, etc.
- It would be much cheaper for the builder to build dot.com to begin with than to convert the live/work to dot.com.

ACTION: **Public Hearing Closed. Continued to July 13, 2000**  
AYES: **Mills, Richardson, Chinchilla**  
NAYES: **Antenore, Joe and Martin**  
ABSENT: **Theoharis**

12. 2000.380T (LORD/BILLOVITS: 558-6311/558-6390)  
**NEIGHBORHOOD COMMERCIAL DISTRICT PERMIT NOTIFICATION**, Consideration of a proposal to initiate amendments to the Planning Code (Zoning Ordinance) to add Section 312 to establish a 20-day mailing and posting notification requirement for building permit applications proposing demolition, new construction, alterations expanding the exterior dimensions of a building or changes of uses in Neighborhood Commercial Districts and various amendments to Section 311 providing flexibility in the scheduling of discretionary review hearings and assigning the administration of design guidelines and General Plan policies to the Director of Planning.  
Preliminary Recommendation: Approve resolution initiating text amendments and scheduling a public hearing on the recommendation of adoption to the Board of Supervisors for July 6, 2000.

SPEAKER(S):

**Lloyd Schloegle**

- The 30-day notice period for large and significant proposals should be retained.
- A 20-day notice is not sufficient for significant proposals pertaining to a demolition.

ACTION: **Approved**  
AYES: **Antenore, Joe, Martin, Mills, Chinchilla, Richardson**  
ABSENT: **Theoharis**  
MOTION NO: **15081**

13. 2000.407 (LORD/BILLOVITS: 558-6311/558-6390)



NC-2 ZONING DISTRICT IN THE VICINITY OF 9TH AVENUE AND IRVING STREET.  
Consideration of a proposal to initiate amendments to the Planning Code (Zoning Ordinance and Zoning Map) to create a new Inner Sunset Neighborhood Commercial District in the vicinity of Irving Street between 5th Avenue and 19th Avenue.  
Preliminary Recommendation: Approve resolution initiating map and text amendments and scheduling a public hearing on the recommendation of adoption to the Board of Supervisors for July 13, 2000.

SPEAKER(S): **None**  
ACTION: **Approved**  
AYES: **Antenore, Joe, Mills, Martin, Chinchilla, Richardson**  
ABSENT: **Theoharis**  
MOTION NO. **15082**

14. 2000.426 (LORD/BILLOVITS: 558-6311/558-6390)  
LIQUOR STORE DEFINITION AND ADDITION TO ARTICLE 7 OF THE PLANNING CODE. Consideration of a proposal to initiate amendments to the Planning Code (Zoning Ordinance) by amending each of the Neighborhood Commercial District zoning control tables in Article 7 to add a use category called "Liquor Store" and to make such stores either a permitted use, a conditional use, or not permitted and by adding Section 790.55 to define "Liquor Store".  
Preliminary Recommendation: Approve resolution initiating text amendments and scheduling a public hearing on the recommendation of adoption to the Board of Supervisors for July 13, 2000

SPEAKER(S): **None**  
ACTION: **Approved**  
AYES: **Antenore, Joe, Mills, Martin, Chinchilla, Richardson**  
ABSENT: **Theoharis**  
MOTION NO. **15083**

15. 2000.316X (BEATTY: 558-6163)  
554 MISSION STREET, north side of Mission Street between 1st and 2nd Streets, Lots 15, 17 and 18 of Assessor's Block 3708 -- Request for two exceptions under Planning Code Section 309: (1) separation of towers requirements as permitted in Planning Code Section 132.1(c)(1); and (2) on-site freight-loading service driveway requirements as permitted in Section 155(d). The project site is within the C-3-0 (Downtown, Office) District and 500-S (Lot 18) and 550-S (Lots 15 and 17) Height and Bulk Districts.  
Preliminary Recommendation: Approval  
(Continued from Regular Meeting of June 1,2000)

SPEAKER(S):

(-) **Lloyd Schloegle**

- This construction is right next to Golden Gate University. There is no need for more office space.
- The construction of this building will interfere with the school's functions.

ACTION: **Approved**  
AYES: **Antenore, Joe, Mill, Martin, Chinchilla, Richardson**





ABSENT: **Theoharis**  
MOTION NO. **15084**

16. 1999.839C (LeBLANC: 558-6351)  
700 JONES STREET, northeast corner at Post Street; Lot 014 in Assessor's Block 0298  
--Request for Conditional Use authorization to install a wireless telecommunications facility consisting of 6 panel antennas on the roof and base station equipment in the basement of a mixed use building in an RC-4 (Residential-Commercial Combined) District, and an 80-A Height and Bulk District.  
Preliminary Recommendation: Approval  
(Continued from Regular Meeting of June 1, 2000)

SPEAKER(S):

**(+) Jenny Estes - Project Sponsor representing Sprint PCS**

- This location complies with the Wireless Telecommunications Services Facility Sighting Guidelines and the SF Municipal Code.
- The building is commercial/residential in an RC-4 District therefore a preference 5.
- Sprint took extra care in finding an appropriate site and notifying the community and making an unintrusive design.
- There were community meetings held on January 28, 2000 and May 18, 2000. Sprint is required to notify residents within a 25-foot radius and they notified residents within a 300-foot radius. No one attended these meetings.
- The installation of the facility will be unobtrusive to public view.

ACTION: **Approved**  
AYES: **Antenore, Joe, Mills, Martin, Chinchilla, Richardson**  
ABSENT: **Theoharis**  
MOTION NO. **15085**

- 17a. 1999.414C (BRESSANUTTI: 575-6892)  
325 FREMONT STREET, east side between Folsom Street and Harrison Street; Lots 12, 13 and 14 in Assessor's block 3747 - Request for Conditional Use Authorization per Planning Code Section 253 (building exceeding 40 feet in height in an R District) and Section 249(b)(1) (site coverage exceeding 80 percent) to allow construction of a new 21-story, 200-foot-tall residential building with not more than 54 dwelling units above four levels of parking (three levels below grade and one level at grade) with up to 54 spaces, within an RC-4 (Residential-Commercial Combined District, High Density) District and the Rincon Hill Special Use District, and a 200-R Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.  
(Continued from Regular Meeting of June 1, 2000)

SPEAKER(S):

**(+) Steve Vettel - Gladstone and Vettel representing Project Sponsor**

- This project is a joint venture between Doug Shaw, Mike Angady, and Jim Reiley of Angady and Reiley Contractors.
- There is a general consensus in the city that this is an appropriate location for high-density, high-rise housing. The Department is looking into even further upzoning of this area to make it easier to develop high-rise housing in this area.
- They are proposing that 10% or 12% of the units be below market value.



- The building consists of 20 levels containing 51 apartments.
- The majority of the units are two story apartments with views of the Bay.
- There is an 1,800 square foot terrace which provides exceptional views of the Bay.
- The materials will be simple yet elegant.

- This appears to be improperly identified in the agenda.
- There is a large 4-story building across the street where there is a Pacific Bell facility.
- This appears to be an inopportune site for housing.
- This area should be preserved for industrial uses.

- This project has taken too long to come before the Commission.
- Projects like these should be approved because they provide funds for job training programs.

- The property line windows might be a problem for future projects.
- Under the new Rincon Hill Planning District, this project might be the only tower on the block.

MOTION NO. 15086

18. 2000.391C (CHIN: 575-6897)  
4141 GEARY BOULEVARD, between 5th and 6th Avenues; Lots 002, 003, 004 in Assessor's Block 1539: -- Request for Conditional Use authorization pursuant to Section 209.66 and 712.83 of the Planning Code to install a total of six antennas and a base transceiver station on an existing four-story building, on Kaiser's French Campus, as part of Sprint's wireless telecommunications network in an RM-1/NC-3 (Low Density/Neighborhood Commercial-3) District and a 80-E Height and Bulk District. Preliminary Recommendation: Approval with Conditions

- This location meets the WTS Sighting Guidelines and the San Francisco Municipal Code.



- The Antennas will be flush mounted to become unobtrusive on both sides of the building.

ACTION: **Approved**  
AYES: **Antenore, Joe, Mills, Martin, Chinchilla, Richardson**  
ABSENT: **Theoharis**  
MOTION NO. **15087**

#### G. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **4:00 P.M.** the Planning Commission Convened into a Special Discretionary Review (Dr) Hearing.

19. 1999.543DD (WOODS: 558-6315)  
338 - 12TH AVENUE, east side between Geary Boulevard and Clement Streets, Lot 33 in Assessor's Block 1443 -- Request for Discretionary Review of BPA No. 9901007S, proposing to add a new fourth floor, front, side, and rear additions to the existing single-unit building at the front of the property only in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as revised.

SPEAKER(S):

**(-) Stephen Williams - Representing DR Requestor**

- The entire envelope is being altered.
- No part of the existing envelope will exist after the proposed project.
- In reality, this alternation is a demolition.
- An illegal demolition has already occurred at this site.
- The actual home at the proposed site used to be a Victorian cottage. It has now been rebuilt to a 3-story, 3 apartment building complex.
- The lot now exceeds the density for legal units.
- There is a real fire danger because none of these permits went through Planning or the proper channels. There have been two fires at this property.

**(-) Yew Mar - Second DR Requestor**

- Lives next door to proposed site.
- Mr. Lam built an illegal window.
- Mr. Lam has already built 3 units.
- There is a real problem of parking in the neighborhood.
- He hopes the Commission doesn't approve this project.

**(-) Helen Jue**

- She is speaking on behalf of her husband and daughter.
- The proposed project is already too large.
- The building will block light and air to her property.

**(-) Joanne Tinloy**

- He can understand Mr. Lam wanting to expand his home since she has a family also.
- The proposed project has changed from a nice Victorian home with an in-law in the back to a 3 story building.
- Her parents who live near the proposed site, recently installed new windows in



their kitchen to bring more light into their home. IF the proposed project is approved, this sunlight will be blocked.

**(-) Mary Jue Loo**

- She has lived with her parents until 1995. Her parents and Mr. Lam were friends until Mr. Lam began building and demolishing on his property without consideration for the neighbors.
- Everything Mr. Lam has built is questionable.

**(-) Loretia Yan**

- She truly enjoys the light and sunshine in her home.
- The proposed 4-story building will definitely block the sunshine and light coming into her home.

**(-) Kai Loo**

- He grew up in San Francisco.
- He is a frequent visitor to the Yu's residence who live next door to Mr. Lam's house.
- Mr. Lam's proposal for a 4-story building will change all the light and air coming into the Yu's home.
- There has to be some regard to the quality of life.
- Read a letter from Mr. Sam Manthrop who is also a neighbor of Mr. Lam who expressed his concerns about light and air blockage to his home because of the proposed construction.

**(-) Galvin Wong**

- He would like Mr. Lam not to build such a large building.

**(-) Art Louie**

- Mr. Lam proposes to build 6 bathrooms and 2 furnaces.
- He would like the Commission to reduce the construction in scale.

**(-) John Ngau - neighbor**

- He has 3 concerns about the proposed construction: 1) the project is already too large; 2) parking is already a problem in the neighborhood; and 3) the project will cause a trend in the neighborhood when later someone else might want to build something similar in height.

**(-) Jayne Loughry - neighbor**

- Lives at 348 Funston Street - has lived there for the last 12 years.
- There is a strong neighborhood association where she lives.
- She is a gardener and many of the neighbors have front and back gardens.
- The proposed construction will cause less light in her garden.

**(-) Bill McGuire - has lived in the Richmond District for 30 years.**

- He has seen a lot of changes in the neighborhood. He belongs to Heritage, The Richmond Community Association and the Planning Association of the Richmond.
- He believes that laws should be followed.

**(-) Jake McGoldrick - Richmond Community Association**

- This project is too large and should not be allowed.
- If this project is allowed, it will make neighbors want to build as high.

**(+) Alice Barkley - Representing Project Sponsor**

- So far the Commissioners have heard a lot of allocations about what has happened in the past.
- If DBI required a permit for a demolition, the law would be abided and the permit would be applied for.
- The project sponsor wanted to live in the back in-law while the front was being remodeled.





- An encroachment that was talked about is a trim on top of the roof of the rear building. This has been removed.
- There is no way that the proposed construction will impact the neighbors home.
- The scale of the building when you look at the front facade--you are not going to be able to see the 4th floor.

**(+) Doug Engmann**

- Mr. Lam is a friend and has been his electrical contractor for many years.
- From the neighbors description, one would not want Mr. Lam to come to their home.
- There are no illegal units in the building.
- The issue before the Commission is the penthouse.
- Would like for project to be approved with the conditions imposed by staff.

**(+) Nancy Pearlman**

- She has lived on 12th Avenue for about 15 years.
- Mr. Lam has been a great neighbor for 15 years.
- Mr. Lam has always followed the rules and has requested permits when needed and has had inspectors come to his home.

**(+) Nancy Lee Smith**

- She met Mr. Lam when he was a bachelor and had recently purchased his home. He is now married and has a family.
- There is no better electrician than Mr. Lam

**(+) Fai Wong**

- He lives across the street from Mr. Lam's house.
- MR. Lam has a lot of neighbors supporting him.

**(+) Weldon Smith**

- He would like to point out that the proposed houses will be a good addition to the neighborhood.

**(+) David Lam**

- Mr. Lam's proposed construction will make the neighborhood better in terms of appearance, consistency in architecture and look.
- There are several large homes in the neighborhood.

**ACTION: Public Hearing Closed. Continued to July 20, 2000 to give Staff time to review permit history.**

**AYES: Antenore, Joe, Mills, Martin, Chinchilla, Richardson**

**ABSENT: Theoharis**

20. 2000.238DDD (MEHRA: 558-6257)  
117 PARKER AVENUE, west side between Euclid Avenue and Geary Boulevard, Lot 003 in Assessor's Block 1064 -- Request for Discretionary Review of BPA Nos. 9912789 & 9912791, proposing to demolish the existing single-family dwelling and the construction of a new two-story over garage two-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the building permit applications as revised.

**SPEAKER(S):**

**(-) K. Rose Hillson - DR Requestor - Lives at 115 Parket Street**

- The Heritage Foundation sent the Commissioners correspondence regarding



preservation of the proposed site.

- They bought their property because of the air and the ambiance of light coming into their home.
- If Mrs. Piambo let her cottage deteriorate, it is no excuse for demolition.
- The new building blocks light to my home.
- The roof line is not consistent with the surrounding structures.
- The garage door does not match the other homes either.

**(-) Sylvia Melikian - DR Requestor - Lives at 503 Euclid Street**

- She has spent 25 years in the institutional real estate market-investing pension plans for Cities, Counties, and States into commercial real estate. Her firm owns many of the building in the City.
- She has worked with many architects and is aware of the difference in aesthetics which can be applied.
- She would request a redesign of the proposed construction.

**(-) Irene M. Lieberman**

- She objects to having more cars in the neighborhood.
- Her senior citizen friends find it difficult to visit her since they have to park far away.
- Her light will be cut off.
- If this project goes through, there are other properties who might want to do the same.

**(-) Sarah Jane Gould**

- She lives right behind the proposed structure.
- There is a tree that separates the two homes and she is concerned about the future of the home.
- There will be increasing noise to the area.
- This structure is inconsistent with the design of the other homes.

**(-) Steven Hilson - Lives at 115 Park Street**

- The developers know how to make it look as though they are compromising by asking for far more than they need and then scaling it down to something that is still unreasonable just so they can say they compromised.
- The project owner, originally submitted inaccurate documents.
- Most families have more than one vehicle.
- This project will impact the parking in the neighborhood.

**(-) Stuart Whitman**

- Submitted a letter from Charles Edwin Chase - Executive Director of the Architectural Heritage Group who is opposed to the project.

**(-) Cliff Liehe - Lives at 144 Park Avenue**

- He has lived there for 23 years.
- He respects the owners of the proposed project.
- Parking is a major issue for him.
- This proposed construction will create more parking problems in the neighborhood.
- There are 3 multi-complexes in the neighborhood.

**(-) Grover Wall - Lives at 81 Park Avenue**

- He opposes the demolition of the present structure and the construction of a new structure.
- People take pride in the appearance of their homes.
- The owners of the building under consideration initially declared their interest with the neighbors yet in their final proposal they have abandoned this approach.



(-) Stephanie Wall

- Founding Director of Jordan Park Association
- This is a single-family, unique neighborhood.
- Her main concern is that the building is completely out of character with the neighborhood.
- There is a trend in this neighborhood to destroy some of the neighborhood character.
- She collected 62 signatures of people who are opposed of this project.
- There are two articles--one from the San Francisco Chronicle and one from the San Francisco Independent about a meeting that was held about the buildings being built which are out of character with the neighborhood.

(-) Rosemary Patten

- She understands people wanting to build and expand their homes.
- The problem is the character of the particular design.
- It's very easy to see that the particular design far exceeds the height of the houses on either side of the neighborhood.

(+) Yoel Yodowitz - Reuben & Alter

- There have been a lot of hyperbolae.

(+)Tony Pantaleoni

- The estimate of the renovation from the existing building was done by the contractor.
- There was a termite inspection and it was discovered that the whole foundation would have to be replaced, the house had to be jacked up.
- The cost includes bringing the construction up to code. The bathrooms had dryrot. Bathroom needed to be upgraded.
- There are many houses in the neighborhood that are 3-story homes.
- The proposed house is the smallest on the block.

**(+) Anna Marie Piombo - Lives at 31 Collins Street**

- She has lived in Laurel Heights for 51 years.
- This property is in a trust for her 5 children.
- She would like to build a pair of flats to add value to the block.
- She has always been honest about the construction.
- She has attended 3 meetings with the neighbors and has reduced and revised the plans many times.

**ACTION:** Public hearing closed.\* Will get the input from DBI to determine if the current structure requires demolition; staff will work with Mr. Pantaleno to improve facade in order to make it more appropriate with the neighborhood.

\*(Public testimony will be open only if a new design is required from the architect). Continued to July 27, 2000.

**AYES:** Antenore, Mills, Martin, Chinchilla, Richardson

ABSENT: Joe, Theoharis

21. 2000.345D (CHIN: 575-6897)  
2823-2825 GOLDEN GATE AVENUE, southeast side between Arguello Boulevard and Willard North, Lot 044 in Assessor's Block 1167 -- Request for Discretionary Review of BPA No. 9923086, proposing a 36'-2" rear addition at the first and second floors, and the installation of a new garage door in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.



Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted

**SPEAKER(S):**

**(-) Leona Storm**

- Her property is adjacent to the proposed property.
- There is a problem with limited open space.
- The proposed construction will cause lack of sunlight to her property.
- One of the problems is that gradually the department is allowing for less sensitivity to small houses.
- There have been two additions to the proposed property already.
- She will lose privacy both in her backyard and two of the bay windows that face into this yard.
- They are increasing the number of bedrooms by 4. It is not unlikely for these rooms to be rented to students.
- Many of the properties around the neighborhood rent to students which means that each renter might have a car; therefore, making parking a bigger problem.

**(+) Lisa Wong - Project Architect**

- She has designed many residential projects.
- She believes that this is a very modest addition.
- The two story extension in the back is legal. They are only adding another 13 feet past that.
- The project is only two stories high.
- She tried to address all the concerns the neighbors had.

**(+) David Lee - Co-owns the property with his father.**

- His father lived in the home for many years.
- The house is too small for another live-in nurse to take care of his ailing father.
- When he gets married, he will need the space for his family.

**ACTION:**           **Take Discretionary Review and approve a two unit building with the following revision of conditions: 1) remove door that lead from garage to first story; 2) expand bathroom downstairs; 3) put a notice of special restriction on the property; 3) remove window in walk-in closet; and 4) glass on window over vanity in the master bath should be obscure.**

**AYES:**           **Antenore, Mills, Martin, Chinchilla, Richardson**

**ABSENT:**       **Joe, Theoharis**

22.       1998.864D (BANALES: 558-6339)  
690 - 4TH STREET, west side between Bluxome and Townsend Streets, Lots 8 and 9 in Assessor's Block 3786, Staff-Initiated Discretionary Review of Building Permit Application No. 9824087, proposing new construction of a mixed-used live/work and retail building, following demolition of existing structures on the subject property. The subject property is in an Industrial Protection Zone Buffer and a SSO (Service Secondary Office) District and 65-X Height and Bulk District. The project proposes demolition of two existing structures on the site and new construction of a mixed-use live/work and retail building. 54 live/work units and approximately 14,600 square feet of ground floor retail space is proposed.  
Preliminary recommendation: Do not take Discretionary Review and approve building permit as submitted.





**SPEAKER(S):**

**(-) Sue Hestor**

- She strongly disputes this last minute interpretation.
- This project is 85,000 square feet of live/work in an SSO district.
- This parcel was designated as SSO
- The floor plan is ideally suited for office use since it has large spaces.
- This is an office site and it shouldn't be live/work.

**(-) Jake McGoldrick**

- If this is an office building, then it should be approved as an office building.

**(-) Gary Moony**

- This project is ½ a block from CalTrain as well as other sources of public transportation and environmental agencies.

**(+) Don Shaw -**

- When the owners came to him they wanted a building that was mixed used with retail on the ground level and live/work units above. They wanted the building to fit into the existing neighborhood --which consists of mostly renovated, industrial buildings built in the early 20th century. These buildings were usually either concrete frame or brick with industrial steel sash windows.

**(+) Salish Mahendra**

- He read a letter from the 601 4th Street Residents Association.
- They have had meetings regarding this project and they agree with the general concept of the project.
- They had some reservation regarding the aesthetics of the building. They felt that the developers and the architects had good intentions to try to make the building match the character of the neighborhood.
- They made some suggestions at the meetings and the owners have made a revised sketch of the building which meets the suggestions.

**(+) Peter Meyer - Project Sponsor**

- He lives one block down the street.
- The owner's across the street have made a few suggestions but overall supports the construction.
- This is a very substantial, nice project.

**ACTION:**

**Take Discretionary Review and approve project with the following recommendations: 1) take the volunteer donation of \$100,000 offered by Jim Reuben on behalf of his client for transit impact fees (to be paid prior to the issuance of the permit); 2) do as Commissioner Chinchilla recommended and have a Notice of Special Restriction placed on this project that would put the world on notice that this has been authorized only as live/work and not as office; and 3) that any conversion to office use would require going through the office allocation process.**

**AYES:**

**Antenore, Mills, Martin, Chinchilla, Richardson**

**ABSENT:**

**Theoharis, Joe**

Adjournment: 7:23 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JULY 6, 2000**



5  
10  
15/00

# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chamber - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place

Thursday, June 15, 2000

1:30 P.M.

Regular Meeting

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DOCUMENTS DEPT.

OCT - 3 2000

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**PRESENT:** Mills, Antenore, Joe, Chinchilla, Richardson  
**ABSENT:** Theoharis, Martin

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT MILLS AT 1:35 P.M.

**STAFF IN ATTENDANCE:** Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Hillary Gitelman; Kelley LeBlanc; Matthew Snyder; Isolde Wilson; Catherine Keylon; Allison Borden; Nora Priego, Transcribing Secretary; Linda D. Avery - Commission Secretary.

### A. ITEMS PROPOSED FOR CONTINUANCE

1995.385E (KUGLER 558-5983)  
444 DIVISADERO STREET, TOUCHLESS CAR WASH **Appeal of a Preliminary Negative Declaration**  
on Assessor's Block 1216 - Lots 5, 17, 18, 19, located on the northeast corner of Oak and Divisadero Streets in the Western Addition. The proposed project would demolish two existing buildings at 1060-1062 and 1052 Oak Street and construct a new two-story mixed-use building with two dwelling units on the second floor and an auto detailing services and a parking space on the ground floor. There would be one level of underground parking with 13 spaces accessed by a commercial automobile elevator. The underground parking would be covered by landscaping. An additional two story structure would be constructed to serve as an employee lounge and storage area. Two shed roofed open sided structures would be constructed to connect the existing car wash structure and the two proposed structures. Minor modifications in the form of the addition of a covered waiting area and the enclosure of an existing laundry facilities would be done to the existing car wash building. The car wash vehicular circulation and queuing area would be expanded and reconfigured. The proposed site is split between two zones; lots 5, 17, 18 and the portion of lot 19 that fronts on Oak Street are zoned NC-2 while the interior remainder of lot 19 is zoned RH-3. A rezoning of the interior portion of lot 19 from RH-3 to NC-2 is proposed as a part of the project. The project also has two Height/Bulk Districts 65-A and 40-X.



**(Propose for Continuance to July 13, 2000)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Antenore, Joe, Mills, Chinchilla, Richardson  
ABSENT: Martin, Theoharis

**B. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**Fran Martin - Visitation Planning Alliance**

- There is a Home Depot being proposed at the Schlage Lock site in a Visitation Valley residential area.
- The community would rather see a grocery store, a City College of San Francisco extension, a library, etc.

**Linda McKay - Member of the Little Hollywood Association**

- Their community is blocked by Executive Park, Schlage Lock, and the garbage company. There is not that much space left for constructing housing.

**Paul Zingary - lives at 999 Tennessee Street**

- The BOA overturned the Commission's decision on the 993 Tennessee Street case.
- Very disappointed with the whole situation.

**Stephen Williams**

- The BOA overturned the decision the Commission made on 993 Tennessee Street.
- There were lots of mis-information the BOA had.
- The Commission's recommendation was presented with very little detail.
- The BOA is out of control because the department and the city attorney are not doing their jobs.
- The BOA has an obligation to enforce the law, yet it is not being enforced.

**Chris Cole**

- He was also at the BOA hearing last evening.
- The BOA made decisions as if the Planning Commission didn't exist.
- Staff should pay more attention with subjective matters.

**Mark Gordon -**

- wasn't at all happy with the way Mr. Badiner represented the Commission.

**Rob Anderson - Resident of Dog Patch**



- Quite disappointed and shocked at what happened at the BOA meeting.
- Felt that the decision had been made even before they went up to express their points of view.
- What is the purpose of showing up at these hearings if they're not going to listen.
- The developer of 993 Tennessee Street has never worked with this neighborhood.

**Sue Hestor -**

- There was a promise that there would be a full report on people being displaced and that has not happened.

**Patricia Vaughey****Luis Fernandez - Mission Economic Development Association**

- They were tenants at the 2601 Mission Street Building (Bay View Building)
- About 6 months ago all the tenants received an eviction notice. Most of the tenants are non-profits. Some of the businesses moved to Oakland yet others will be going out of business because they cannot afford the high rents.
- The owner of the building decided to rent all the floors to a dot.com company.
- He is aware that if a tenant decides to use the entire floor of the building for just one company, a conditional use permit should be applied for and it hasn't.
- There are still some floors which haven't been occupied

**Anastasia Yovinopolus - Board member of the Friends of Noe Valley**

- She is upset because the Department did not advertise properly for a New Zoning Administrator.

**Joe O'Donahue - Residential Builders****Alice Barkley**

- She was at the BOA meeting.
- There is a major disagreement from the residents and their attorneys.
- She believes that the characterization of Mr. Badiner in the BOA is grossly misinterpreted.

**Sh Koosji - Staff of Mission Economic Development Association**

- Regarding the building at 2601 Mission Street - would like staff to enforce the Conditional Use permit.
- The neighborhood has come out overwhelmingly to help the people who are being evicted from this building.

**C. COMMISSIONERS' QUESTIONS AND MATTERS**

1. Consideration of Adoption - draft minutes of 6/1/00.

**ACTIONS: Approved with corrections.**

**AYES: Antenore, Joe, Mills, Chinchilla, Richardson**

**ABSENT: Theoharis, Martin**

2. Commission Matters

**Commissioner Mills:**

- 1) She would like to have Action Due dates on the Action List.
- 2) She would like a report on whether or not the Commission, under DR authority, can impose exactions such as affordable housing and transportation fees.
- 3) She would like a report on the 2601 Mission Street (Bay View Building) case.

**Commissioner Antenore:**

- 1) He believes that there are some items that haven't been reported to the Commission regarding the Action List.
- 2) The Commission is being ignored on certain items.





**Commissioner Joe:**

- She would also like to see a report on the American Can Company.

**D. DIRECTOR'S REPORT**

3. Director's Announcements.
  - He would like to express significant confidence in Mr. Larry Badiner's work since he became ZA a month ago.
  - It is unfair that he take the blame and be criticized by decisions made by the BOA.
4. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

**Larry Badiner****993 Tennessee Street**

- This case was overturned by the BOA +4-0. They felt that it was a mixed neighborhood and that there were a variety of building types, building forms and building uses.
- He seeks guidance and welcomes any recommendations from the Commission on how to represent them.

**768 El Camino - a Discretionary Review**

- The BOA upheld the Commission's decision +5-0.

**535 Mission Street**

- This item was withdrawn even before it went to the BOA because the project sponsor upheld the Commission's decision.

**2601 Mission Street**

- The permits which have been examined at this time are for some base building issues. Most of them are relatively minor.
- There are no tenant improvements yet before staff. However, these tenants improvements would be making changes to the size of the space or converting uses.
- Staff will be doing a site visit in the near future.

**Live/Work Status**

There are a number of reports recently on conversion of live/work to offices. There have been 3 formal complaints from Ms. Sue Hester. Staff is looking into these. If they are reported, staff will investigate. If they are illegal, or if they require further permits or further environmental review, staff will pursue them.

**The conditional use abatement Language**

This was before the Transportation Committee and a concern was raised from the Restaurant Association. I, as Zoning Administrator, responded making minor recommendations and changes essentially saying that the conditional use abatement was not intended to extend the grounds for abatement but to clarify the procedure for abatement. Also, the Commission would be focusing on any abatement action on issues that were in their subject matter jurisdiction only.

**E. REGULAR CALENDAR**

(GITELMAN)

5. Resolution delegating to the Environmental Review Officer (ERO) responsibility for taking testimony at Draft EIR hearings on Hetch Hetchy Water Treatment Project.

SPEAKER(S):

None

ACTION:

Approved



AYES: **Antenore, Joe, Mills, Chinchilla, Richardson**  
ABSENT: **Theoharis, Martin**  
RESOLUTION NO.: **15090**

6. 2000.147C (LeBLANC 558-6351)  
400 McALLISTER STREET AKA 401 POLK STREET, northwest corner at Polk Street; Lot 002 in Assessor's Block 0766 -- Request for Conditional Use authorization to install a wireless telecommunications facility consisting of six panel antennas and base station equipment on the roof of an existing building in a P (Public) District, the Civic Center Historic District and an 80-X Height and Bulk District.  
Preliminary Recommendation: Approval with Conditions  
(Continued from Regular Meeting of June 1, 2000)

**SPEAKER(S):**

**Jennifer Estes - Representing Sprint PCS**

- This site complies with the WTS Facility Sighting Guidelines as well as the San Francisco Municipal Code.
- This is a preference one location since it is a publicly used building.
- They have tried to make the site visually unintrusive.

**Lloyd Schloegel**

- This antenna system is likely to be disruptive to City Hall.
- This is unnecessary, therefore, should not be approved

**ACTION: Approved with Conditions as Drafted**  
AYES: **Antenore, Joe, Mills, Chinchilla, Richardson**  
ABSENT: **Theoharis, Martin**  
MOTION NO. **15091**

7. 1999.923G 2000.323C (LeBLANC: 558-6351)  
545 POWELL STREET, Request for Conditional Use authorization to install a wireless telecommunications facility consisting of 4 panel antennas on the existing rooftop penthouse of a building and base station equipment inside a new penthouse on the roof of the building in an RC-4 (Residential-Commercial Combined) District and a 65-A Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.

**SPEAKER(S): None**

**ACTION: Continued Without Hearing to June 22, 2000**  
AYES: **Antenore, Joe, Mills, Chinchilla, Richardson**  
ABSENT: **Theoharis, Martin**

8. 2000.303C (M.SNYDER: 575-6891)  
2548 - 24TH STREET- (The San Francisco General Hospital Parking Garage), the parcel bordered by 24th Street, San Bruno Avenue, 23rd Street, and Utah Street, Lot 1 in Assessor's Block 4213 -- Request for Conditional Use authorization under Planning Code Section 234.2 to install three sectors of antennas (four antennas in each sector) on the roof of the elevator tower located at the 23rd Street and Utah Street corner of the garage, in a P (Public Use) District and a 40-X Height and Bulk District. As part of the proposal, a stealth screen would be installed to hide the proposed antennas from view and a base transceiver station would be installed within the garage.  
Preliminary Recommendation: Approval with conditions.



**SPEAKER(S):**

**Molly Kales - Representing Nextel Communications**

- No comments - available for questions

**Cathy Ramashadi - Resident of the Mission District for many years**

- She realizes that these antennas send off microwave signals.
- The medical issues regarding these antennas should be dealt with before more are installed.
- The location where these antennas are proposed is near a school, near a bus stop, and most especially near San Francisco General Hospital.

**Liz Kilian - She lives across the street from the garage**

- She and her husband are against the installation of these antennas.
- The towers of the garage where these antennas are proposed already exceed the height limit.
- The residents of the neighborhood, especially the ones that live directly adjacent to the garage, already experience diminished light because of the height of the towers.
- Read a letter from Pat Howard who lives at 2635 23rd Street who is opposed to the installation of these antennas.

**Anastasia Yovinopalus**

- The antennas are ugly and the staff should plan better.
- She doesn't know what the tests show but these antennas are ugly and residents do not want them.

**Joe Kilian - Lives near the proposed site**

- Is it a fact that these antennas won't affect the sensitive monitoring equipment at SF General since it is a block from the emergency ward?
- How much is being paid for the installation of these antennas and where is the money going?

**Keith Majar - lives near the proposed site.**

- He would like more information on the health aspects of these antennas.

**Patricia Katanio - Lives on Utah Street**

- She is opposed to the installation of this antenna since it will have ill effects on her and the neighbors.

**ACTION: Approved**

**AYES: Antenore, Joe, Mills, Chinchilla, Richardson**

**ABSENT: Theoharis, Martin**

**MOTION NO.: 15092**

9. 2000.216C (KIM: 558-6290)  
510- 520 FREDERICK STREET, northwest corner at Frederick and Stanyan Streets; Lot 006 in Assessor's Block 1263 - Request for Conditional Use authorization to allow the installation of two panel antennas and an interior equipment shelter in the basement of an existing mixed-use building as part of a wireless telecommunication network, pursuant to Planning Code Section 710.83, in an NC-1 (Neighborhood Commercial Cluster District) and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.  
(Continued from Regular Meeting of May 25, 2000)

**SPEAKER(S): None**

**ACTION: Continued Without Hearing to July 27, 2000**

**AYES: Antenore, Joe, Mills, Chinchilla, Richardson**

**ABSENT: Theoharis, Martin**



10. 2000.209C (MILLER: 558-6344)  
1470 PINE STREET, north side between Polk and Larkin Streets, Lot 7A in Assessor's Block 645 --Request for authorization of a CONDITIONAL USE for a FIBER-OPTIC TELEVISION and TELECOMMUNICATIONS CABLE EQUIPMENT INSTALLATION in an existing one-story building, in the Polk Street Neighborhood Commercial District and an 80-A Height and Bulk District.  
Preliminary Recommendation: Approval with conditions  
(Continued from Regular Meeting of June 1, 2000)

SPEAKER(S): None

ACTION: Continued Without Hearing to July 20, 2000

AYES: Antenore, Joe, Mills, Chinchilla, Richardson

ABSENT: Theoharis, Martin

#### F. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **3:00** P.M. the Planning Commission will convene into a Special Discretionary Review (Dr) Hearing. Procedures governing Special DR Hearings are as follow: DR Requestor(s) are provided with up to five (5) minutes for a presentation and those in support of the DR Requestor(s) are provided with up to three (3) minutes each. The Project Sponsor is then provided with up to five (5) minutes for a presentation and those in support of the Project are provided with up to three (3) minutes each. At the conclusion, each side (not each person) is provided with 2 minutes for a rebuttal. Those cases that are scheduled on this calendar prior to 3:00 PM, but have not been called or heard by 3:00 PM, could be continued to a later time or date as determined by the Commission.

11. 1999.684D (WILSON: 558-6602)  
129 RANDALL STREET, south side between Whitney and Chenery Streets, Lot 038 in Assessor's Block 6663 -- Request for Discretionary Review of BPA No. 9911578, proposing to demolish the existing building and construct a new two-unit building in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review, approve project.  
**Prior Action: Public comment was closed at the February 17, 2000 hearing. The Commission continued the item to allow further discussion between the project sponsor and neighbors.**  
(Continued from Regular Meeting of May 25, 2000).

SPEAKER(S):

**(+) John Rohosky - Project Architect**

- He would like to request that the Commission not take DR and approve the project.
- This is not a monster home as it has been characterized and it is in character with the neighborhood.
- This project does not require a conditional use permit or a variance.
- There have been many changes from the original design (e.g. dropped the height to line with the adjacent buildings, etc.)
- Every effort has been made to respect Proposition M.

**(-) Art Bender lives at 127 Randall Street**

- It is true that there have been revisions made to the design. Yet, they would like more substance revision.
- In his view the house still looks like a monster home.





**(-) Paul Curtis - lives at Fairmaunt Street**

- A 4-story building is out of character in the entire neighborhood.
- The neighbors also have endorsements from the Upper Noe Valley Association, The Glen Park Association, The Noe Valley Democratic Club; District 8 Democratic Club.

**(-) Andrea Wurland -**

- At 158 Randall Street, there was proposal for a large building yet it stayed within the character of the neighborhood.
- This project is clearly deserving of further review and a redesign.

**(-) Anastasia YovinoPalus**

- This is a good opportunity for the Commission to set a precedent. Will the Commission decide to make buildings higher without considering the neighbors, the view, the character of the neighborhood, etc?

**(-) Patricia Vaughey**

- She believes that this project could be revised more since there is enough space in the back of the house for a deck instead of on the top floor.

**(-) Paul Travis - Lives at 123 Randall Street**

- There are other proposed projects on the same block.
- If the Commission approves the project, it will set a precedent and the other projects proposed on this block will want to build as high or higher.

**(-) John Murary - Lives on Chenery Street**

- His neighborhood has been in existence at least 110 years without 4-story buildings.

**(-) Jeff Mounce - Lives on Church Street**

- The neighborhood is not against the construction, they would just like to reach a compromise -- it needs to be smaller.

**(-) Lory Stazacallis - Lives at 140 Randall Street**

- She is not against having this building built.
- The developer has not lived at the proposed project, therefore, he has no sensitivity about the character of the building.
- She is opposed to the size and dimensions of this building.

**(-) Mr. Axit - lives on Whitney Street**

- He is aware of two buildings that were built across from this project about 15 years ago.
- Both houses were considerably small since at that time they were restricted.

**(+) John O'Reily -Project Sponsor**

- He has many letters in support of this project.
- He has not ignored the requests of the neighbors.

**(+) Joe Anzer - He owns Real Management Company of Noe Valley**

- He has worked with the neighbors and with the architect. They have attended community meetings and every time there have been changes, the architect has come back with revised designs.
- San Francisco needs housing and new homes should be designed for the modern family.

**(+) Jim Zack - neighbor**

- He became involved in the project when the neighbors sent him an invitation to attend one of their community meetings. He wasn't very impressed with the tone the neighbors had against this project.
- This project is 100% code compliant. It doesn't require any variances or anything out of the ordinary.
- If anyone wants to build and develop their property they have the right as granted by the planning code.



- There is such a concern about the developers who come into the neighborhood. Cities need developers since if there were no developers there would be no housing.

**ACTION:** 1st motion: Take Discretionary Review with the following changes: 1) set back 8 feet further on the 4th floor; 2) project sponsor to continue to work with staff on architectural detailing of the facade with specific reference to the skylight on the 3rd floor.

**AYES:** Chinchilla, Richardson

**NAYES:** Antenore, Joe

**ABSENT:** Theoharis, Martin, Mills

**ACTION:** 2nd Motion: Take Discretionary Review with the following changes: 1) remove 4th floor 2) modifications of the front facade to fit into the character of the neighborhood.

**AYES:** Antenore, Joe

**NAYES:** Chinchilla, Richardson

**ABSENT:** Theoharis, Martin, Mills

**ACTION:** 3rd Motion: Continue to July 27, 2000 until there is a full commission - Public Hearing will be closed.

**AYES:** Antenore, Joe, Chinchilla, Richardson

**ABSENT:** Theoharis, Martin, Mills

12. 2000.229D (WILSON: 558-6602)  
1946 - 21ST AVENUE, east side between Ortega and Pacheco Streets, Lot 032 in Assessor's Block 2114 - Request for Discretionary Review of BPA No. 20000121665, proposing to add a third story to the existing two-story house in an RH-1 (House, One-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the building permit application as submitted.

**SPEAKER(S):**

**(-) Lisa Fung**

- A 3rd story addition would change the character of the neighborhood since most homes are 2 stories.
- The addition of the 3rd story would block view and light from the adjacent home.
- There are no good neighbor actions from the project sponsor.
- The 3rd story should be denied.
- The project goes against the neighborhood character.
- The planner stated that there were no opposing neighbors and that is not true.

**(-) Shirley Grey**

- She is speaking on behalf of her mother who lives next door to the proposed construction.
- The proposed construction will block sunlight to her mother's kitchen and breakfast room.
- Her mother's stairway will be right under the construction. It is not fair for neighbors to deal with the noise of the construction.
- She agrees to all of the statements from Ms. Fung.
- These homes are more like condos since they are very close.

**(+) Wilson Ng - Project Architect**



- He is representing Mr. and Mrs. Yap.
- He is proposing an addition of 2 bedrooms and 2 baths.
- The construction will be built in accordance with all codes.
- He had meetings with planning Staff and he addressed the 3rd story addition.
- There are other houses in the neighborhood which have 3rd story additions.

**(+) Michael Yap - Project Sponsor**

- He and his family (5 total) live in a 2 bedroom/1 bath home. They have lived in this house for 16 years.
- He and his wife wanted to move to another larger home. However, due to the housing shortage, houses are priced higher than what he and his family could afford, therefore, they decided to make an addition to his home.
- The first choice was to build below but that was not structurally possible, then there was the 2nd alternative to build behind the house but this was not feasible either because it would cast a shadow on the neighbor's home and that would also take away from their daughters playing outside or weekend barbecues. So the only alternative was to build above.
- He talked to their neighbors about the proposed addition, they seemed indifferent or said no without giving any reasons.

ACTION: **Approved**  
 AYES: **Antenore, Joe, Chinchilla, Richardson**  
 ABSENT: **Theoharis, Martin, Mills**

13. 2000.473D (KEYLON: 558-6613)  
82-86 GARDEN STREET/ 2383-2389 & 2393-2399 POST STREET, southeast corner of Post and Broderick Streets, Lot 013 in Assessor's Block 1079 -- Request for Discretionary Review of BPA Nos. 2000/01/19/431, 2000/01/19/426 and 2000/01/19/433, proposing to subdivide a former gas station site into three code complying lots and construct a four-story, three-unit building on each of the three lots in an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.

**SPEAKER(S):**

**(-) Celia Hamilton - DR Requestor - Lives at 345 Post Street**

- She was very happy when Kaiser Permanente Hospital finished their construction on the addition of the hospital.
- Now there is a proposal for another construction.
- She and the neighbors agree that the noise involved in a construction is nerve wracking.
- She would like for construction to start not before 7:00 a.m. and no construction work on Saturdays.

**(-) Sharyl Laibe - Lives at 2345 Post Street**

- She has lived at this location since 1994.
- Three months after she moved into this apartment, construction began at the UCSF Medical Health Center. The construction lasted 2 years and the workers started at 6:00 am. After this construction was completed, Kaiser Permanente Hospital began construction of an addition.
- Because of the high rent on apartments, she cannot afford to move.
- She does not object to the construction, yet she does object of such an early construction start time. The project sponsors should be considered of the neighbors.



**(-) Patricia Vaughey**

- She has a suggestion: Construction time from 8:00 a.m. to 7:00 p.m. (Which means that they stop working at 6:00 p.m so construction workers can do their clean up and be out by 7:00 p.m.

**(+) Alice Barkley - Representing Project Sponsor**

- This is not a large project like UCSF or Kaiser. It will take about 9 months to complete.
- 7:00 a.m. to 6:00 p.m. on Monday to Friday and 8:00 a.m. to 5:00 p.m. on Saturday and no work on Sunday.

**(+) Joe O'Donahue - Residential Buildings**

- When you limit construction time, the cost goes up.
- He lived at 25 Garden Street many years ago and at that time the neighborhood wasn't very good so he is happy that the neighborhood is changing and improving.
- The reality is that we all live in a City and certain areas are more intense in regards to development therefore there will be noise.

**ACTION: Do not take DR but provide construction contact information and Building Department contact information to DR Requestor. Hours of construction will be 7:00 a.m. to 6:00 p.m. Monday thru Friday; and 8:00 a.m. to 5:00 p.m. on Saturdays; no construction on Sundays.**

**AYES: Antenore, Joe, Chinchilla, Richardson**

**ABSENT: Theoharis, Mills, Martin**

14. 2000.535D (KEYLON: 558-6613)  
2129 GREENWICH STREET, south side between Webster and Fillmore Streets, Lot 052 in Assessor's Block 0516 -- Request for Discretionary Review of BPA No. 200004187529, proposing to modify the originally approved building envelope, under Case No. 98.986V, of a four-story, three-unit building, resulting in a decrease of overall square footage of the project in a RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.

**SPEAKER(S): None**

**ACTION: Withdrawn**

**AYES: Antenore, Joe, Chinchilla, Richardson**

**ABSENT: Theoharis, Mills, Martin**

15. 2000.353DD (BORDEN: 558-6321)  
541 & 547 - 29TH STREET, south side between Noe and Castro Streets, Lot Nos. 038 and 037 in Assessor's Block 6630 -- Request for Discretionary Review on a proposal to demolish the vacant buildings existing at 541 and 547 29th Street and to construct two new 4-story, 2-unit residential buildings in an RH-2(Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and require that plans be revised per staff's recommendation.

**SPEAKER(S):**

**(-) Alan Kronsby - 1st DR Requestor - lives at 553 29th Street**

- He would like modification of the design of the proposed project.
- He stood in front of the Commission a few years ago when he wanted to add





rooms to his home. His case was approved because he took into consideration the opinion of his neighbors and the look of other homes in the neighborhood.

- The developers will come and do their construction and then leave.
- Sun and light will be blocked to his home and the design just does not fit with the neighborhood.
- There were many plans and schemes brought forward from the architect. Yet, every time there was a new scheme items were eliminated and others were added which made negotiations just stop.

**(-) David Zovikian - 2nd DR Requestor - lives at 538 29th Street**

- The design of this construction is completely out of character to the neighborhood. He doesn't oppose the construction or development of the neighborhood.
- He would like developer to eliminate the 5th floor penthouse and 12 foot setback into the rear.
- The developer has no interest in the neighborhood. As soon as this home is built, the developer will move on to the next project.
- He has lived in his home for 10 years and has no intention to move.
- Million dollar condos do not make a neighborhood.

**(-) Jim Gordon - Lives next door of the property**

- He approves of an RH-2 development that is in scale with the neighborhood.
- Many people in the neighborhood have built additions to their homes but nothing like the proposed project.
- The project is not in scale with the neighborhood.
- The guidelines state that if nothing helps then reduce the size of the building.
- The construction will block light, air, and views to the adjacent neighbors.

**(-) Amy Gordon**

- The developers didn't start negotiations until November and they broke off negotiations the second week of January.
- Their requirements have been the same since July and they have been very honest and very positive about these requirements.
- There have been many changes to the plans, even last minute changes, yet there is still no agreement.

**(-) Rob Rufner - lives at 436 Day Street**

- Their situation is different because they live in the back of the house. Their kitchen window will look at the back of the proposed house. Instead of a blue sky and pitched roof skyline, they will now be looking at a gigantic edifice.

**(-) Howard Levit - Lives at 450 Day Street**

- Have lived at this house for 23 years.
- During these years, he has witnessed many additions to homes that meet with the character of the neighborhood.
- The two houses proposed meet all the characteristics of a monster house.

**(-) Anastasia Yopinopolus - Noe Tenants Association and Friends of Noe Valley**

- Where are the fire exits?
- There are fire hazards to the proposed homes.
- Developers should size their projects down.
- This project needs a second look.

**(-) Peg O'Malley - Lives at 567 29th Street**

- She and her family have added to their home like many of the neighbors yet they have been respectful to the neighbors and the neighborhood.
- The proposed houses will bring incredible income to the developer when sold.

**(-) Connie George - Lives 531 29th Street**

- Her concerns are that the house is out of scale to the neighborhood.



- There will be loss of light to their neighborhood.
- There will be a loss to the green belt in the neighborhood.
- (-) Robert Thomas - Lives at 546 29th Street**
  - There were other people who wanted to come to the hearing but weren't able to come.
  - Would like for project to be reconsidered by the Planning Department.
- (-) Dave Munks - President of the Noe Valley Democratic Club**
  - He is concerned with the issues of community.
  - There is incredible anxiety going on in the neighborhood if this project is approved, more people will want to build without consulting the neighbors.
- (-) Mark Tully - Lives at 610 29th Street**
  - He was shocked and aghast to see the demolition notice at the proposed site.
  - All the neighbors have joined to demand a downsizing of this project.
- (-) Mary Arguelles - Lives at Noe and Day Street**
  - This is a group of people that want to work together and prove that they can do that. Most people have either planned a project, been through a project and added on to their homes and it works and now they are all raising their families there.
- (-) Vicky Rosen - President of Upper Noe Valley Neighbors**
  - This is about respect for people and where they live. It's about preserving the environmental quality of where people live.
  - She feels that it's really disrespectful for developers to not try and honestly work with people because the people are who will remain long after the developers have gone.
  - It is very important to keep with Proposition M.
- (-) Celeste West**
  - She recommends that plans be reworked to be compatible with neighborhood buildings.
  - Please consider the earth and all the creatures. Do not allow for land to be exploited by massive floor plans.
  - Please support humanity's deep need for buildings designed with love, imagination, playfulness and humor.
- (-) Marilyn Heiss - Lives at 650 29th Street**
  - She and her family have lived there for 8 years.
  - The housing market at the time they bought their home, wasn't as it is now and they had a choice of where to live.
  - They are not against the development but developers should not be able to overwhelm everything around them.
- (-) Paul Curtis -**
  - He came to the hearing to oppose 129 Randall Street. The proposed construction is a few blocks away from his home so it is still his neighborhood.
  - The proposed home will make the neighborhood be out of character.
- (-) Connie Fangled - Lives at 540 29th Street**
  - She has leukemia and stays at home a lot. The thought of going thorough the construction is overwhelming.
  - Her tenant has threatened to move out because of the hardship the construction will cause.
- (-) Rick Berman - Lives at 511 29th Street**
  - The name of his wife was listed as supporters of the project. The behavior of the developer in compiling a list of neighbors in support is deceptive.
  - Adding buildings that tower over 29th Street is a disservice to them.
  - Their experience with this developer is unwillingness to consider the intent of the



## Residential Design Guidelines.

**(+) John Sanger - Sanger & Olson - Representing Project Sponsor**

- There aren't any insertions in the communications to the Commissions with neighborhood support for this project. What was presented to the Commission was a survey of the neighborhood opinions.
- They took very seriously the staff comments and changes. Just yesterday they were able to provide a response to all the neighbor's comments and staff recommendations. He realizes that staff hasn't been given enough time to analyze these changes, therefore, would be willing to propose a continuance.
- 6 schemes have been developed yet they haven't been able to satisfy all of the neighbor's needs.

**(+) Joe O'Donahue - Residential Builders**

- This conflict is about the recent intrusion of "Monster Homes".
- This is a very modest proposal.
- Cassidy Construction has never sold any of their buildings for rental.

**(+) Shawn Gorman - Project Architect - Gary Gee Architects**

- There were many schemes to try to meet the issues the neighbors brought up.

**(+) James Ninemacker - one of the Project Sponsors**

- There are other buildings that are larger with penthouses and lesser setbacks, only at certain angles can you see the penthouse.

**ACTION:** Continue project to June 22, 2000, with an intent to take Discretionary Review with the following recommendations: to allow the Project Sponsor and both DR requestors to review the most current floor plan scheme which involve: 1) the penthouse needs to be significantly reduced as in Scheme "E" 2) the twelve foot rear extension is to be eliminated 3) Side deck on 541-29th Street eliminated 4) At 547 29th, allow better access to the light well of adjacent property.

**AYES:** Antenore, Joe, Chinchilla, Richardson

**ABSENT:** Theoharis, Mills, Martin

16. 1999.767D (JONES: 558-6477)

374 - 24TH AVENUE, east side between California and Clement Streets, Lot 023A in Assessor's Block 1410 -- Request for Discretionary Review of BPA No. 9900945, proposing to demolish the existing two-story, single family dwelling and construct a four-story, three-unit dwelling in an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review, approve project.

**SPEAKER(S):** None

**ACTION:** Continued Without Hearing to July 6, 2000

**AYES:** Antenore, Joe, Chinchilla, Richardson

**ABSENT:** Theoharis, Mills, Martin

Adjournment: 6:25 P.M.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JULY 6, 2000.**



55  
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/22/00

# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, June 22, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT

OCT - 3 2000

SAN FRANCISCO  
PUBLIC LIBRARY

PRESENT: Antenore, Joe, Mills, Chinchilla, Richardson  
ABSENT: Theoharis, Martin

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:37 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning, Larry Badiner - Zoning Administrator, Isolde Wilson, Kenneth Chin, Tony Kim, Joy Navarrete, Nora Priego - Transcription Secretary, Linda D. Avery - Commission Secretary

### A. ITEMS PROPOSED FOR CONTINUANCE

1. 2000.211C (KEYLON: 558-6613)  
570- 42ND AVENUE, east side between Geary Boulevard and Anza Street, Lot 60 in Assessor's Block 1503- Request for Conditional Use Authorization under Planning Code Section 209.1(g) to construct a four unit building on a 6,000 square foot lot in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions  
(Proposed for Continuance to July 6, 2000)

SPEAKER(S): None  
ACTION: Continued to July 6, 2000  
AYES: Antenore, Joe, Mills, Chinchilla, Richardson  
ABSENT: Theoharis, Martin

2. 1999.827EC (GORDON: 558-6309)  
160 HARRISON STREET, at the northeast corner of Main and Harrison Streets; Lot 8 in Assessor's Block 3745 -- Request per Planning Code Section 304 for Conditional Use





Authorization under the Planned Unit Development process: (1) for establishment of a utility use as defined by Planning Code Section 209.6(b), in a P District pursuant to Planning Code Section 234.2, (2) for an off-street parking exception of 51 spaces under Planning Code Section 151, where 76 off-street parking spaces are required, (3) for an exception to the minimum stall dimensions for approximately 14 off-street parking spaces per Planning Code Section 154(a), and (4) for an exception to minimum dimensions for 2 freight loading spaces per Planning Code Section 154(b). The property is in a P (Public) Zoning District, the Rincon Hill Special Use District - Residential Subdistrict and a 105-R Height and Bulk District.

Preliminary Recommendation: Approval with conditions

**(Proposed for Continuance to July 6, 2000)**

SPEAKER(S): **None**

ACTION: **Continued to July 6, 2000**

AYES: **Antenore, Joe, Mills, Chinchilla, Richardson**

ABSENT: **Theoharis, Martin**

3. 2000.266C (KIM: 558-6290)  
720 MOSCOW STREET, west side between France and Italy Streets; Lot 024 in Assessor's Block 6338 - Request for Conditional Use authorization pursuant to Section 234.2(a) of the Planning Code to install a total of two antennas and a base station on an existing Fire Station building as part of Sprint's wireless telecommunications network in a P (Public Use) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions  
**(Proposed for Continuance to July 6, 2000)**

SPEAKER(S): **None**

ACTION: **Continued to July 6, 2000**

AYES: **Antenore, Joe, Mills, Chinchilla, Richardson**

ABSENT: **Theoharis, Martin**

4. 2000.288E (DEUTSCH: 558-5965)  
SEAWALL LOT 337 COMMUTER PARKING, **Appeal of preliminary negative declaration** for proposed expansion of use to permit daily general (commuter) parking in the parking lot on Port property east of Third Street serving Pacific Bell Park, containing about 1,814 spaces. The lot would be open on non-baseball game days from 7:00 a.m. to 7:00 p.m. On afternoon game days, general parking would not be permitted. On weekday evening game days, general parking would be permitted with non-game attending parkers required to exit the lot by 5:00 p.m. General parking would be permitted on weekend non-game days. In addition, the types of temporary uses permitted on the parking lot would be expanded to be consistent with Section 985 of the Planning Code, including 60-day limits for exhibitions, festivals, Christmas tree and Halloween pumpkin lots, etc., and 1- to 5-year limits for temporary uses and structures incidental to construction of a building, rental or sales office incidental to a new development, etc.  
These proposals, by China Basin Ballpark Company and Imperial Parking, Inc., would require approval by the Zoning Administrator, the San Francisco Port Commission, and the Port of San Francisco.  
Preliminary Recommendation: Uphold Preliminary Negative Declaration.  
(Continued from Regular Meeting of June 8, 2000)  
**(Proposed for Continuance to July 6, 2000)**



SPEAKER(S): None  
ACTION: Continued to July 6, 2000  
AYES: Antenore, Joe, Mills, Chinchilla, Richardson  
ABSENT: Theoharis, Martin

- 5a. 1999.668BX (MILLER: 558-6344)  
38-44 TEHAMA STREET (also known as 543 Howard Street), north side of Howard Street between First and Second Streets, Lot 111 in Assessor's Block 3736 -- Request for Determination of Compliance pursuant to Section 309 with respect to a proposal (1) to renovate the existing building interior, including remodeling the foyer, adding three elevators and adding two new stairwells; (2) construct a third and fourth level atop the building to a new height of 64 feet along Tehama Street; and (3) convert up to 49,950 square feet on the first, mezzanine, second, third and fourth floors of the building to office use. The entrance to the office space would be on Howard street. Approximately 26,100 square feet of existing industrial space in the basement and in the rear of the first floor and first floor mezzanine would remain. The entrance to the industrial space will be on Tehama Street. There is no parking on this site and none is proposed. The project lies within a C-3-O (SD) (Downtown Office-Special Development District) and a 350-S Height and Bulk District.  
**(Proposed for Continuance to July 6, 2000 July 27, 2000)**

SPEAKER(S): None  
ACTION: Continued to July 27, 2000  
AYES: Antenore, Joe, Mills, Chinchilla, Richardson  
ABSENT: Theoharis, Martin

- 5b. 1999.668BX (MILLER: 558-6344)  
38-44 TEHAMA STREET, (also known as 543 Howard Street), north side of Howard Street between First and Second Streets, Lot 111 in Assessor's Block 3736 -- Request under Planning Code Sections 320-322 (Office Development Limitation Program) to allow the creation of up to 49,950 square feet of office space in an existing industrially-occupied building of approximately 49,000 square feet proposed for expansion to approximately 73,000 square feet. Approximately 26,100 square feet of existing industrial space would remain in industrial use. The project lies within a C-3-O (SD) (Downtown Office-Special Development District) and a 350-S Height and Bulk District.  
**(Proposed for Continuance to July 6, 2000 July 27, 2000)**

SPEAKER(S): None  
ACTION: Continued to July 27, 2000  
AYES: Antenore, Joe, Mills, Chinchilla, Richardson  
ABSENT: Theoharis, Martin

- 6a. 2000.063CV (BRESSANUTTI: 575-6892)  
1638 KIRKWOOD AVENUE, north side between Phelps Street and Newhall Street; Lot 52 in Assessor's block 5279: Request for Conditional Use Authorization to allow a residential care facility for seven or more persons per Planning Code Section 209.3(c). The applicant, Jelani House, Inc., already operates a transitional living program for up to 27 women at this location, with substance abuse treatment services provided off-site elsewhere in the neighborhood.



The proposal would add substance abuse treatment services by State-licensed personnel on-site at this location, and would increase the allowed number of residents to a maximum of 39 (women and children). The live-in program would offer treatment and support for drug/alcohol dependent women and their children in a residential environment. Residents would live in the program for a period of 12 to 18 months. No building alterations are proposed. The property is in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Approval with conditions.

**(Proposed for Continuance to July 13, 2000.)**

SPEAKER(S): **None**  
ACTION: **Continued to July 13, 2000**  
AYES: **Antenore, Joe, Mills, Chinchilla, Richardson**  
ABSENT: **Theoharis, Martin**

- 6b. 2000.063CV (BRESSANUTTI: 575-6892)  
1638 KIRKWOOD AVENUE, north side between Phelps Street and Newhall Street; Lot 52 in Assessor's block 5279: The Zoning Administrator will conduct a joint hearing on a request for a Variance from the off-street parking spaces required for a proposed residential care facility with up to 39 residents. Planning Code Section 151 requires one off-street parking space for each 10 residents, where the number of residents exceeds nine. In this case, four off-street parking spaces would be required. There is no existing off-street parking at the property and none is proposed. The property is in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

**(Proposed for Continuance to July 13, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued to July 13, 2000**  
AYES: **Antenore, Joe, Mills, Chinchilla, Richardson**  
ABSENT: **Theoharis, Martin**

7. 1999.738D (CHIN: 575-6897)  
2131 DIVISADERO STREET, west side between Clay and Sacramento Streets, Lot 004 in Assessor's Block 1004 -- Request for Discretionary Review of BPA No. 9914768, proposing to raise a portion of the roof to match existing roof at the rear of a three-story, two dwelling unit building in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.

**(Proposed for Continuance to July 20, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued to July 20, 2000**  
AYES: **Antenore, Joe, Mills, Chinchilla, Richardson**  
ABSENT: **Theoharis, Martin**

## B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is



reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**Mrs. Angela S. Vista-Jaramillo - Lives at 5 Montecito Avenue**

- She would like the Commission to approve her curb permit.
- 53 homes in her neighborhood have the same problem she has and they all have the same driveway.

**Sue Hestor -**

- Regarding the enforcement of illegal conversions in the case of Bay View Bank and American Can Company.
- Department staff made a site visit and they were treated poorly.
- She receives many calls from people being evicted illegally.
- Why hasn't there been an abatement proceeding for these two cases?

**Ed Caceres - tenant at 2601 Mission Street (Bay View Building)**

- It is unreasonable that nothing has been done on an abatement.
- There are 4 attorneys who do pro bono work for the Latin community and they are being kicked out of this building.

**Beatrice Welch - Reporter for Tecolote Newspaper**

- She has been put on the case of the organizations that have been evicted from 2601 Mission Street (Bay View Building).
- She has learned that Planning Commission is "rubber stamping" the displacement of Latinos because that's the thing to do to bring dot.coms into the community.
- She can't understand why the abatement proceedings are not going on.

**C. COMMISSIONERS' QUESTIONS AND MATTERS**

8. Commission Matters  
**None**

**D. DIRECTOR'S REPORT**

9. Director's Announcements.

*5 Montecito Avenue - Mrs. Jaramillo's request during Public Comment:*

- Staff has spent many hours with the project sponsor. The conclusion is that the permit application before the department is not permitted under the provisions of the Planning Code.
- The project sponsor needs to alter the permit or seek a justifiable variance.





*2601 Mission Street (Bay View Bank Building)*

- A letter has been sent to the Building Department that asks that all permits be suspended. At the same time, a letter has been sent to the property owner asking additional information.

- It is the opinion of the Planning Department that a Conditional Use Authorization may be required because of physical alterations that resulted in a greater use size than the Planning Code allows.

10. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

BOA

None

**Finance Committee**

- The Mayors office increased the budget slightly.

- The recommendation from the budget analyst to the board was to reduce: materials, supplies, fringe benefits, etc. which are normal recommendations.

- The Department requested a Transcriber/Typist position which the budget analyst wasn't too much in agreement with. This position is needed to meet the demands and increase in responsibilities resulting from Proposition G. Commission minutes are to be more detailed and they are to be provided in a much quicker turnaround.

- There are a number of public members who are willing to stand behind the department in terms of seeking additional funding for the Transit Oriented Studies that are being done, especially for the Balboa Park area. There is a good chance that there will be support since district elections are coming up.

11. Staff report on whether or not the Commission has authority, under the Discretionary Review process to impose exactions such as affordable housing and transportation.

**Gerald Green:**

- Currently the Commission has the ability to require projects to mitigate certain impacts in the following ways: under the conditional use process, the Commission implements the inclusionary housing policies; under the affordable housing program, the Commission is able to provide an exaction from office development which goes to affordable housing fund, transit impact fee, child care and open space in certain districts. Currently, this is not imposed using the Discretionary Review process. Normally, the Commission has the responsibility of acknowledging that there is a direct relationship or nexus between the impact of a project and the condition which is imposed. The Commission does acknowledge that a certain project does create additional demands on housing, transit, etc. Ms. Boyagen of the City Attorney's office will expand on this issue.

**Judy Boyagen**

- The general principal under Federal and State law, is to impose a monetary fee or other type of exaction that requires the showing that there is a connection between the impact of the project and the conditions imposed to mitigate that impact.

- Under state law that is actually codified of the government code starting at Section 6600. It actually sets forth a nexus requirement and accounting reporting requirements.

- The funds have to be segregated, accounted for, reported to the people that contributed and a return of the money if it is not used for the purpose it was collected.



- There is no major legal difference between a fee and exactions through legislation or through the Commission's discretionary powers.. It is still the same requirements. Through legislation, you have the opportunity to do the study which will demonstrate the nexus and set the appropriate fee.
- Under state and federal laws the fee of the impact has to be proportional to the impact.
- It is difficult for the Commission to do this on a case by case basis.
- The Commission does have the authority to impose compliance with future legislation (Russ vs. San Francisco).
- In Conclusion, I [Judy Boyagen] believe that legislation is preferred but if the Commission complied with all the legal requirements, it can be done under the Discretionary Review power.

**Gerald Green:**

- There have been some projects where there has been a nexus study.
- There is a nexus study being prepared for the expansion of the transit impact fees beyond the C-3 districts. It will be available to the Commissioners in the near future.
- The Commission does have a right to put a "place holder" condition on certain projects. It should be determined before what kind of projects and at what scale these projects should have conditions.
- Another option would be for the Commission to develop a policy in which conditions on a general basis would be imposed from a project where the relationship of the impact would require it.
- Staff is preparing a nexus study to allow for the expansion of the transit impact fees beyond the C-3 Districts which will be available in the near future.
- In July, staff will begin to brief the Commissioners on the appropriate steps to take to address the interim controls that have set up the industrial protection zones.

**Sue Hestor:**

- One of the things that is missing from this issue is the role of environmental documents.
- Before these fees were imposed on projects, environmental documents played a key role in determining the impact on housing and transit. This eventually set the basis for the implementation of these fees.
- The Commission has more responsibility now. The Commission has to demand that the EIR's generate adequate information.

**Joe O'Donahue - Residential Builders**

- There is a housing crisis right now on housing and live/work.
- Live/work is functional zoning
- Privatizing MUNI would make the department more efficient.
- They proposed to the Board Of Supervisors on EIRs--that they include socioeconomic impact analyses as part of the reports.

**John Bovis**

- There seems to be a need to expand the authority of the Commission and try to exact some penalty from projects. He suggests that the Commission come up with clear legislation that describes the authority the Commission would like to have.
- It is a good idea to write good environmental impact reports, therefore, there is a good basis from which to proceed.

**Joe Cassidy - Residential Builders**

- They have never sued anybody.
- They do not advocate or threaten Lawsuits.



**ACTION:** Continued to July 20, 2000 - for further discussion which would allow the additional contribution of absent Commissioners and could ultimately lead to an action by the Commission. A resolution should be drafted which sets forth the Commissioners reasons for considering this policy and what the actual policy will be. This item will be calendared under Director's Report. MEA Staff to be invited.

**E. CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED**

12. 2000.353DD (BORDEN: 558-6321)  
541 & 547 - 29TH STREET, south side between Noe and Castro Streets, Lot Nos. 038 and 037 in Assessor's Block 6630 -- Request for Discretionary Review on a proposal to demolish the vacant buildings existing at 541 and 547 29th Street and to construct two new 4-story, 2-unit residential buildings in an RH-2(Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and require that plans be revised per staff's recommendation.

**Note:** On June 15, 2000, following public testimony the Commission closed the public hearing and passed a motion of intent to take Discretionary Review and approve with staff recommendations by a vote of +4 -0. The recommendations are to allow the Project Sponsor and both DR requestors to review the most current floor plan scheme which involve: 1) the penthouse needs to be significantly reduced as in Scheme "E" 2) the twelve foot rear extension is to be eliminated 3) Side deck on 541-29th Street eliminated 4) At 547 29th , allow better access to the light well of adjacent property. Commissioners Martin, Mills and Theoharis were absent.

**SPEAKER(S):** None  
**ACTION:** 1st Motion: Approve  
**AYES:** Mills, Chinchilla, Richardson  
**NAYES:** Antenore, Joe  
**ABSENT:** Theoharis, Martin

**SPEAKER(S):** None  
**ACTION:** Continue to July 6, 2000. Absent commissioners to review hearing tapes from 6/15 and 6/22, prior to final action.  
**AYES:** Antenore, Joe, Mills, Chinchilla, Richardson  
**ABSENT:** Theoharis, Martin

**F. REGULAR CALENDAR**

13. 1999.310E (NAVARRETE: 558-5975)  
322-6TH STREET, Appeal of Preliminary Negative Declaration - Assessor's Block 3754 Lot 3. The proposal is to demolish one existing industrial/commercial warehouse building on the site and construct one building containing 15 live/work units and 15 off-street parking spaces within a 3-story structure (including mezzanine approximately 50 feet in height. The project site is located in a Service/Light Industrial/Residential (SLR) Mixed Use District, within a 50-X height/bulk district. The proposed project site is within a Mixed Use Housing Buffer area, adopted by the Planning Commission as in interim zoning control.  
Preliminary Recommendation: Uphold Negative Declaration.  
(Continued from Regular Meeting of May 11, 2000)

**SPEAKER(S):** None  
**ACTION:** Appeal withdrawn

14. 2000.399C (KIM: 558-6290)



2001 - 37TH AVENUE, (A.K.A. 2750 Rivera Street), northwest corner at 37th Avenue between Ortega and Quintara Streets; Lot 006 in Assessor's Block 2094 - Request for Conditional Use authorization pursuant to Section 209.6(b) of the Planning Code to install a total of 16 antennas and an equipment cabinet on the existing three-story Saint Ignatius Preparatory School building as part of a wireless telecommunications network in an RH-1(Residential House, One-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions

**Robert McCarthy - McCarthy and Swartz representing Metricom**

- The proposal is to install antennas at Saint Ignatius High School. In the past there have been successful installations of antennas for Cellular One.
- The installation has been endorsed by the school.
- Informational meetings were held with the Board of Regents.
- The proposed antennas will allow for students to go into the wireless technology.
- At the community meeting, there were 3 people who expressed health concerns.

**Galinda Wong - lives on 37th Avenue**

- She lives near Saint Ignatius High School.
- She is opposed to the installation of these antennas because she is concerned about the health affects these antennas will have with the students and the residents living near the school.

ACTION: **Approved**  
AYES: **Antenore, Joe, Mills, Chinchilla, Richardson**  
ABSENT: **Theoharis, Martin**  
MOTION NO. **15093**

15. 1999.893C (M. SNYDER: 575-6891)  
114 7TH STREET, southwest corner of 7th and Mission Streets, Lot 1 in Assessor's Block 3727, commonly known as Hotel Britton - Request for Conditional Use authorization under Planning Code Section 816.73 and 227(h) to install two panel antennas at the base of the roof's flagpole approximately 66.5-feet above grade, and to install a base transceiver station on the property, in an SLR District and a 65-X Height and Bulk District. The installation of the antennas and related equipment would be part of a wireless communication network operated by Sprint PCS.  
Preliminary Recommendation: Approval with conditions.  
(Continued from Regular Meeting of May 25, 2000)

**SPEAKER(S):**

**Jennifer Estes - Represents Sprint PCS**

- The petition complies with the WTS Facility Guidelines and the San Francisco Municipal Code
- The antennas will not be visible from the street.
- The equipment will be in the basement.

ACTION: **Approved**  
AYES: **Antenore, Joe, Mills, Chinchilla, Richardson**  
ABSENT: **Theoharis, Martin**  
MOTION NO. **15094**

16. 2000.427C (CHIN: 575-6897)





2201 VAN NESS AVENUE, northeast corner at Broadway; Lot 007, in Assessor's Block 570:  
-- Request for Conditional Use authorization pursuant to Section 209.6 of the Planning Code to install a total of three antennas and a base transceiver station on an existing four-story building (Broadway Manor Motel) as part of Sprint's wireless telecommunications network in an RC-3 (Residential Commercial, Medium Density) District and a 80-A/80-D Height and Bulk District.

Preliminary Recommendation: Approval with conditions

SPEAKER(S): **None**

ACTION: **Without hearing, continued to September 14, 2000**

AYES: **Antenore, Joe, Mills, Chinchilla, Richardson**

ABSENT: **Theoharis, Martin**

17. 2000.323C (LeBLANC: 558-6351)  
545 POWELL STREET, southwest corner at Bush Street; Lot 001 in Assessor's Block 0284  
-- Request for Conditional Use authorization to install a wireless telecommunications facility consisting of 4 panel antennas on 2 sides of the existing rooftop penthouse, and base station equipment on the roof of the penthouse in an RC-4 (Residential-Commercial Combined) District and a 65-A Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.

SPEAKER(S): **None**

ACTION: **Without hearing, continued to August 3, 2000**

AYES: **Antenore, Joe, Mills, Chinchilla, Richardson**

ABSENT: **Theoharis, Martin**

#### G. **SPECIAL DISCRETIONARY REVIEW HEARING**

At Approximately 3:30 P.M. the Planning Commission convened into a Special Discretionary Review (Dr) Hearing.

18. 2000.431DD (LeBLANC: 558-6351)  
1329-31 VALLEJO STREET, southwest side between Larkin and Hyde Streets, Lot 030 in Assessor's Block 0153 -- Request for Discretionary Review of BPA No. 9922926, proposing to construct a partial fourth-floor addition and rear decks at the 2nd and 3rd floors. The addition would be setback 15'-8" from the front of the existing building in a RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and approve the project with one modification.

SPEAKER(S):

**(-) Heather Donovan - 1st DR Requestor**

- Her neighborhood has an appearance of a small neighborhood.
- The architect never came forward to show the design of the construction.
- The proposed construction will affect the sunlight coming into her home.

**(-) Noreen Lum - 2nd DR Requestor**

- She is here on behalf of her parents who live near the proposed construction.
- She would like the sponsor to move the penthouse north of their light well where it will reduce the impact on the sunlight coming into the light well.
- The penthouse is located right in the middle of the building, where the light well is.



- She went to the PG&E Energy Center to get a light study. This is a study of the sun and shading patterns. It can show how the sun will shadow for a particular time of the day during the year.
- She showed pictures of the impact the addition would have on sunlight being blocked onto their light well.

**(+) Corey Reed - Project Sponsor**

- This is not an exceptional case. There is no significant harm to the neighborhood nor is it out of character to the neighborhood.
- The issues the neighbors seem to have is the sunlight being blocked.
- There is no impact on anyone's view.
- In respect to the character of the neighborhood--there are several buildings that are different in shape, size and look.
- There are a couple of improvement projects proposed on this street.
- The size of the immediate neighbor's light well is quite large.
- The structural engineer has determined that the design of the addition could not be revised.

**(+) Michael Reed - Project Sponsor**

- The proposed addition is within the Zoning Requirements of 40 feet.
- The impact on the Lum's is minimal.
- There are numerous buildings in the area that are already 4 stories.
- They were approved by the Planning Department once already.

**(+) Rodrigo Santos - Structural Engineer for the Project**

- Their primary concern was for safety to the owners and their neighbors so the owners asked for a full seismic analysis of the structure.

**ACTION: Approved**

**AYES: Antenore, Joe, Mills, Chinchilla, Richardson**

**ABSENT: Theoharis, Martin**

19. 2000.457D (CHIN: 575-6897)  
431 - 35TH AVENUE, west side between Geary Boulevard and Clement Street, Lot 007 in Assessor's Block 1467 -- Request for Discretionary Review of BPA Nos. 20000108558S/ 20000107526, proposing to demolish the existing single-family dwelling and construct a new two-family dwelling in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.  
(Continued from Regular Meeting of June 8, 2000)

**SPEAKER(S):**

**(-) Akiko Yamagishi - DR Requestor**

- She and her husband didn't approve of the first design
- She would like to have the 4th floor removed since her sunlight will be blocked and her privacy will be invaded.
- Her husband's hobby is gardening which requires a lot of sunlight.
- 423 and 439 35th Avenue - They both had a proposal to build a 4th floor and both were denied by the Commission.

**(-) Richard Jow**

- Lives south of the subject property.
- Although this is in an RH-2 District, there are 8 single-family uses. Single-



family uses are smaller in scale.

- The neighbors feel that the 4th story that is proposed is out of scale and out of character to the neighborhood.
- They would only like to have the building scaled down since they are not against the addition.

**(-) Dennis Kelly - Lives on Geary Boulevard**

- There are no 4 story buildings in the neighborhood.
- 3 stories seem to fit into the neighborhood.
- The construction will do damage to the neighbors and the neighborhood.

**(-) Ed Christoph - lives at 36th Avenue**

- His backyard meets the yard of the proposed construction. This construction will block their light as well.

**(-) Jay Talkoff - lives at 419 35th Avenue**

- 423 35th Avenue - the decision before the Planning Commission was held on 1998. It currently has a stop work order.
- He does not oppose Mr. McGrath building his home. But if you look at the overall scope and scale, it stands beyond what the neighborhood can sustain at this point.
- Would like Commission to sustain the feel of the neighborhood and not approve a 4th story addition.

**(+) John Sanger - Sanger and Olson**

- He is representing the project sponsor.
- The sponsor is very sympathetic of the DR requestor.
- The project sponsor's home is the shortest house on the block.
- The project sponsor and the project architect have accommodated all the requirements and the design guidelines, therefore, seeks approval.

**(+) Joe O'Donahue - Residential Builders**

- The Yamagishi's house it is a single family, 2-stories over garage structure.
- The Yamagishi's house is larger than the proposed 2 unit buildings.
- This is a 2 unit area and RH-2 District.

**(+) Michael Hickey**

- He has seen the quality of work Mr. McGrawth brings into his buildings.

**ACTION: No Discretionary Review. Approved as proposed**

**AYES: Antenore, Joe, Mills, Chinchilla, Richardson**

**ABSENT: Theoharis, Martin**

20. 98.600D (M.SNYDER): 558-6891  
391 PENNSYLVANNIA, northeast corner of Pennsylvania Avenue and 19th Street, Lot 18 in Assessor's Block 4040 -- Request for Discretionary Review of Building Permit Application No. 9810040, proposing to construct a one-story vertical addition to an existing one-story-over-basement single-family house in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the building permit as submitted.

**SPEAKER(S): None**

**ACTION: Withdrawn by DR Requestor**



21. 2000.135D (PURVIS: 558-6354)  
1000-16TH STREET & 1400-7TH STREET, all lots within the blocks bounded by 16th Street, 7th Street and Hubble Street, including Lots 1, 2, and 3 in Assessor's Block 3833 and Lot 1 in Assessor's Block 3834 -- Staff Initiated Discretionary Review of Demolition Permit Application Nos. 20000508-9360, -9370, -9376, -9383, -9391, -9395, 20000510-9607, and 20000518-0401, proposing to demolish a complex of nine industrial buildings, formerly part of The Glidden Company paint manufacturing facility, and vacant since 1996. The site is within the M-2 (Heavy Industrial) District, a 50-X Height and Bulk District, and is within the Industrial Protection Zone where demolition of industrial buildings is subject to Discretionary Review.  
Preliminary Recommendation: Do not take Discretionary Review.

## SPEAKER(S):

**(-) Joan Holden - Coalition for Jobs, Arts and Housing**

- Would like to know how the Commission will ensure that this site will remain strictly industrial.
- This site is very suitable for industrial use.
- She would like Commission to ask more questions about what will be the future of this site.

**(+) Ralf Kerstetter - Attorney for the Glidden Company**

- The property has been used as a paint facility for about 70 years.
- The property is in need of environmental remediation.
- Environmental consultants have been hired to look at the site and are already working with the Department of Public Health.
- It is necessary for these buildings to be removed in order to do the environmental remediation.
- There have been intruders starting fires on the property.
- Fire, Police and Building Department have asked to have this building demolished.
- They don't have any idea of what will be the replacement project.
- The property has become a safety and health hazard to the area.

**(+) Eric Scone - Dames and Moore**

- The Glidden Company would like to clean up the site from the contamination they caused so that they mitigate their future liability with the property.
- There are various contaminants at the site due to other factors.
- The Glidden Company will only clean up contaminants they caused.

ACTION: **Approved**AYES: **Antenore, Joe, Martin, Chinchilla, Richardson**ABSENT: **Theoharis, Martin**

22. 1999.310D (PURVIS: 558-6354)  
322 - 6TH STREET, west side between Howard and Folsom Streets, Lot 3 in Assessor's Block 3754 -- Staff Initiated Discretionary Review of Demolition Permit Application No. 9907717 and Building Permit Application No. 9907715, proposing to demolish a two-story industrial building, (the former location of both Hansan Carpet & Blinds and Advanced Courier), and to construct a 15-unit live/work project. The project site is within the SLR (Service/Light Industrial/Residential) District, a 50-X Height and Bulk District, and within the Mixed-Use Housing Buffer Zone where all live/work proposals filed before April 22, 1999 require Discretionary Review.





Preliminary Recommendation: Do not take Discretionary Review.

SPEAKER(S):

(-) **Sue Hestor** -

- 575 Harrison Street; 580 Howard Street; 1001 Mariposa Street; 208 Pennsylvania Street; 1488 Harrison Street; 1209 Indiana Street - These projects were authorized as Live/work projects but are becoming dot.com projects.
- If this project is proposed for live/work, then conditions should be placed on this project for it to remain live/work.

(+) **John Sanger - Sanger and Olson - Representing David O'Keaffe**

- The project sponsor is spending a lot of money to sound proof the walls because of the night club nearby.
- The appeal of the negative declaration by the nightclub owner was withdrawn earlier today and taken off the calendar.

(+) **Joe O'Donahue - Residential Builders**

- Last year, there was an issue that live/work projects would drive out projects in the South of Market. Now the jobs are coming in and it's disrupting the South of Market.
- A builder could construct dot.coms cheaper than live/work projects.

ACTION:

**Approved**

AYES:

**Antenore, Joe, Mills, Chinchilla, Richardson**

ABSENT:

**Theoharis, Martin**

Adjournment: 5:18 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, July 6, 2000.**



# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place

Thursday, July 6, 2000

**1:30 PM**

DOCUMENTS DEPT.

OCT - 3 2000

Regular Meeting

SAN FRANCISCO  
PUBLIC LIBRARY

**PRESENT:** Joe, Mills, Theoharis, Martin, Chinchilla, Richardson,  
**ABSENT:** Antenore

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:45 P.M.

**STAFF IN ATTENDANCE:** Gerald G. Green - Director of Planning, Larry McDonald; Paul Maltzer; John Billovits; Allison Borden; Kenneth Chin; Tony Kim; Isolde Wilson; Rana Ahmadi; Elizabeth Gordon; Delvin Washington; Catherine Keylon; Ricardo Bressanutti; Nora Priego - Transcription Secretary, Linda D. Avery - Commission Secretary

### A. ITEMS PROPOSED FOR CONTINUANCE

1. 2000.288E (DEUTSCH: 558-5965)  
SEAWALL LOT 337 COMMUTER PARKING, Appeal of preliminary negative declaration for proposed expansion of use to permit daily general (commuter) parking in the parking lot on Port property east of Third Street serving Pacific Bell Park, containing about 1,814 spaces. The lot would be open on non-baseball game days from 7:00 a.m. to 7:00 p.m. On afternoon game days, general parking would not be permitted. On weekday evening game days, general parking would be permitted with non-game attending parkers required to exit the lot by 5:00 p.m. General parking would be permitted on weekend non-game days. In addition, the types of temporary uses permitted on the parking lot would be expanded to be consistent with Section 985 of the Planning Code, including 60-day limits for exhibitions, festivals, Christmas tree and Halloween pumpkin lots, etc., and 1- to 5-year limits for temporary uses and structures incidental to construction of a building, rental or sales office incidental to a new development, etc. These proposals, by China Basin Ballpark Company and Imperial Parking, Inc., would require approval by the Zoning Administrator, the San Francisco Port Commission, and the Port of San Francisco.



## APPEAL WITHDRAWN



SPEAKER(S): None  
ACTION: Continued to July 27, 2000  
AYES: Joe, Martin, Theoharis, Mills, Chinchilla, Richardson  
ABSENT: Antenore

5. 1999.817C (LeBLANC: 558-6351)  
990 COLUMBUS AVENUE, southeast corner at Chestnut Street; Lot 048 in Assessor's Block 0065  
-- Request for Conditional Use authorization to install a wireless telecommunications facility consisting of 3 panel antennas on the roof of an existing 3-story commercial building and base station equipment in the basement of the building in the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions  
(Proposed for Continuance to August 3, 2000)

SPEAKER(S): None  
ACTION: Continued to August 3, 2000  
AYES: Joe, Martin, Theoharis, Mills, Chinchilla, Richardson  
ABSENT: Antenore

6. 2000.271E (BLOMGREN: 558-5979)  
415 BRYANT STREET, **Appeal of a Preliminary Negative Declaration**, Lot 97 of Assessor's Block 3995. The project would entail the construction of a four-story, 45-foot high building which would have eight live-work units at 415 Bryant Street, south side of Bryant Street between Second and Third Streets (Assessor's Block 3775, Lot 97). The project is within the Mixed Use Housing Zone (MUHZ), a South End Office (SEO) Interim Control District, Service/Secondary Office (SSO) Zoning District, and a 40-x Height/Bulk District. The proposed building would cover the entire 4000 square foot lot which extends from Taber Place on the south to Bryant Street on the north. A one-story, 24-foot high office building at the south end of the parcel would be demolished. The floor area of the proposed building would be 17,800 gross square feet, excluding parking. All of the units of the building would be accessed from stairways and hallways which would have entrances on Bryant Street and Taber Place. The proposed building would provide eight parking spaces in a ground-level garage with an ingress/egress from Taber Place. Proposed for continuance to August 3, 2000.  
Preliminary Recommendation: Uphold the Negative Declaration  
(Proposed for Continuance to August 3, 2000)

SPEAKER(S): None  
ACTION: Continued to August 3, 2000  
AYES: Joe, Martin, Theoharis, Mills, Chinchilla, Richardson  
ABSENT: Antenore

7. 2000.078G (KOMETANI: 558-6478)  
580 HOWARD STREET, north side between First and Second Streets. Lot 91 in Assessor's Block 3721 -- Request for approval under Planning Code Sections 1106 and 1107 to change the boundaries of the New Montgomery-Second Street Conservation District to include the subject property and to upgrade its Article 11 designation from "Category V, Unrated" to "Category IV, Contributory."  
Preliminary Recommendation: Approval with conditions  
(Continued from Regular Meeting of June 1, 2000)  
(Proposed for Continuance to August 24, 2000)





**SPEAKER(S):****Sue Hestor:**

- She would like the hearing date to be accelerated as quickly as possible.

**Joel Yodowitz - Representing Project Sponsor:**

- There are 15 tenants who need to be surveyed to determine what their uses are and to find out if any of them are residential or office. Therefore, time is needed to take care of these surveys.

**ACTION: Amended to be continued to July 20, 2000**

**AYES: Joe, Martin, Theoharis, Mills, Chinchilla, Richardson**

**ABSENT: Antenore**

**B. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**Bonnie Finegold - Lives at 540-542 29th Street**

*Re: 541 and 547 29th Street*

- She is asking for this case to be continued because she was left out of the selection process to decide what is an appropriate design for the changes that the Commission recommended to the project sponsor. She therefore hasn't been able to have her say.

**John Sanger - Project Sponsor for 541 and 547 29th Street**

*Response to Ms. Finegold's comments*

- Ms. Finegold spoke at the public hearing previously and was aware of the details of the case. There have not been any secret negotiations.
- There has not been any type of discrimination either.

**C. COMMISSIONERS' QUESTIONS AND MATTERS**

8. Consideration of Adoption - draft minutes of June 8, 15, 22, 2000.

**ACTION: Approved**

**AYES: Joe, Martin, Theoharis, Mills, Chinchilla, Richardson**

**ABSENT: Antenore**



9. Commission Matters  
**None**

**D. DIRECTOR'S REPORT**

10. Director's Announcements.  
**None**

11. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.  
**None**

**E. CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED**

12. 2000.353DD (BORDEN: 558-6321)  
541 & 547 - 29TH STREET, south side between Noe and Castro Streets, Lot Nos. 038 and 037 in Assessor's Block 6630 -- Request for Discretionary Review on a proposal to demolish the vacant buildings existing at 541 and 547 29th Street and to construct two new 4-story, 2-unit residential buildings in an RH-2(Residential, House, Two-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and require that plans be revised per staff's recommendation.

(Continued from Regular Meeting of June 22, 2000)

**Note: On June 15, 2000, following public testimony the Commission closed the public hearing and passed a motion of intent to take Discretionary Review and approve with staff recommendations by a vote of +4 -0. The recommendations are to allow the Project Sponsor and both DR requestors to review the most current floor plan scheme which involve: 1) the penthouse needs to be significantly reduced as in Scheme "E" 2) the twelve foot rear extension is to be eliminated 3) Side deck on 541-29th Street eliminated 4) At 547 29th , allow better access to the light well of adjacent property. Commissioners Martin, Mills and Theoharis were absent.**

**Note: On June 22, 2000, the Commission passed a motion to approve as indicated in the intent by a vote of +3 -2. Commissioners Joe and Antenore voted no. Commissioners Martin and Theoharis were absent.**

**SPEAKER(S): None**

**ACTION: Approved the motion of intent taken on 6/15/00**

**AYES: Martin, Theoharis, Mills, Chinchilla, Richardson**

**NAYES: Joe**

**ABSENT: Antenore**

**F. REGULAR CALENDAR**

13. 2000.378T (BILLOVITS: 558-6390)  
Consideration of an amendment to Section 161(j) of the Planning Code adding compatibility findings to the consideration of conditional use applications for off-street parking reductions for dwelling units in Neighborhood Commercial Districts.  
Preliminary Recommendation: Approve resolution recommending adoption to the Board of Supervisors.

**SPEAKER(S): None**



ACTION: **Approved with the following change to Item No. 3: Add Neighborhood Character**  
 AYES: **Joe, Martin, Theoharis, Mills, Chinchilla, Richardson**  
 ABSENT: **Antenore**  
 RESOLUTION NO: **15905**

14. 2000.379T (BILLOVITS: 558-6390)  
 Consideration of an amendment to Section 303(c)(5)A) of the Planning Code to provide for full consideration by the Planning Commission of all standard conditional use findings of Section 303(c)(1-4) when making findings on a conditional use application for movie theaters, adult entertainment and other entertainment uses in Neighborhood Commercial Districts.  
 Preliminary Recommendation: Approve resolution recommending adoption to the Board of Supervisors.

SPEAKER(S): **None**  
 ACTION: **Approved**  
 AYES: **Joe, Martin, Theoharis, Mills, Chinchilla, Richardson**  
 ABSENT: **Antenore**  
 RESOLUTION NO: **15906**

15. 2000.380T (BILLOVITS: 558-6390)  
NEIGHBORHOOD COMMERCIAL DISTRICT PERMIT NOTIFICATION, Consideration of amendments to the Planning Code (Zoning Ordinance) to add Section 312 to establish a 20-day mailing and posting notification requirement for building permit applications proposing demolition, new construction, alterations expanding the exterior dimensions of a building or changes of uses in Neighborhood Commercial Districts and various amendments to Section 311 providing flexibility in the scheduling of discretionary review hearings and assigning the administration of design guidelines and General Plan policies to the Director of Planning.  
 Preliminary Recommendation: Approve amendments and recommendation of adoption to the Board of Supervisors.

SPEAKER(S):

**(+) Dick Millet - Potrero Boosters Neighborhood Association**

- He supports this code amendment but would rather have a 30-day notification instead of a 20-day notification. Sometimes the Project Sponsors are not very supportive so organizations and residents have to rely on notices.
- This is going to affect the neighborhoods in the central waterfront area. That's why the 30-day notice will be even more important.
- There are 3 neighborhood organizations in Potrero Hill: The Potrero Boosters, Dog patch Neighborhood Association and the Lower Potrero Hill Neighborhood Association -- all of which support the 30-day notice.

**(+) Anastasia Yovanopoulos - Friends of Noe Valley**

- She supports the 30-day notification. It might make staff's job a lot easier.
- Because of district election and neighborhood based supervisors; this seems appropriate.

**(+) Sue Hestor -**

- She supports the 30 day notice and believes it is way overdue.
- The department doesn't log the notices that go out. Would it be possible for the department to log these 311 notices, live-work notices and 312 notices, so the public may track them down?
- DBI routinely approves changes of use, yet they don't go through the Planning Department



which is stated in Proposition M.

- DBI staff does not attend Planning Department Commission hearings.
- She came to the meeting because she wanted to hear the Director's report on American Can Company. It would be courteous for someone to mention that he wasn't going to attend today's meeting since she gathered some people to attend this meeting.

**(+) John Bardis -**

- There were presentations at the neighborhood meeting. About 80% or more of the people there approve of the 30-day notice. It was felt that a 30-day notice would provide people with more time to bring themselves "up-to-speed" on what's going on.
- Neighborhood organizations meet once a month so the 30-day notice is a good idea, and could eliminate the need for emergency meetings when trying to address land use issues.
- It would also be a good idea to reconsider the 300-foot radius policy.

**ACTION: Approved with the following amendment: a 30-day notice requirement instead of a 20-day notice.**

**AYES: Joe, Martin, Theoharis, Mills, Chinchilla, Richardson**

**ABSENT: Antenore**

**RESOLUTION NO: 15907**

16. 2000.211C (KEYLON: 558-6613)  
570- 42ND AVENUE, east side between Geary Boulevard and Anza Street, Lot 60 in Assessor's Block 1503- Request for Conditional Use Authorization under Planning Code Section 209.1(g) to construct a four unit building on a 6,000 square foot lot in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions  
(Continued from Regular Meeting of June 22, 2000)

**SPEAKER(S):**

**(+) Eugene Sakai - Project Sponsor - Studio Esquire Architects**

- In response to meeting with the various residents of the neighborhood, their goal has been to design a high quality project that would enhance the street scape and be a "good neighbor."
- He is trying to design a building that is both compatible and harmonious with the neighborhood.

**(-) Michael Edelstein**

- He read a letter on behalf of various residents of the neighborhood.
- He opposes this project because a project like this one removes the character from the neighborhood.

**(+) Jim Harold - Lives across the street from proposed construction**

- He is not overly happy about the loss of an older building.
- The proposed design seems to fit well with the neighborhood.
- There are certain items and issues which could be changed with regards to the design.

**ACTION: Motion to approve failed to carry**

**AYES: Martin, Mills, Richardson**

**NAYES: Theoharis, Joe, Chinchilla**

**ABSENT: Antenore**

**ACTION: Continued to July 13, 2000 to allow the Department of Building Inspection to review the current demolition report.**





AYES: Joe, Martin, Theoharis, Mills, Chinchilla, Richardson  
ABSENT: Antenore

17. 1999.827EC (GORDON: 558-6309)  
160 HARRISON STREET, at the northeast corner of Main and Harrison Streets; Lot 8 in Assessor's Block 3745 -- Request per Planning Code Section 304 for Conditional Use Authorization under the Planned Unit Development process: (1) for establishment of a utility use as defined by Planning Code Section 209.6(b), in a P District pursuant to Planning Code Section 234.2, (2) for an off-street parking exception of 51 spaces under Planning Code Section 151, where 76 off-street parking spaces are required, (3) for an exception to the minimum stall dimensions for approximately 14 off-street parking spaces per Planning Code Section 154(a), and (4) for an exception to minimum dimensions for 2 freight loading spaces per Planning Code Section 154(b). The property is in a P (Public) Zoning District, the Rincon Hill Special Use District - Residential Subdistrict and a 105-R Height and Bulk District.  
Preliminary Recommendation: Approval with conditions  
(Continued from Regular Meeting of June 22, 2000)

**SPEAKER(S):**

**(+) Tim Tosta - Baker and McKenzie - Attorney for Project Sponsor**

- There are two owners: the undeveloped parcel is one ownership and 160 Harrison building is another related ownership.
- The 160 Harrison Street building will store computer servers for Internet content.
- There will be billions of dollars of commerce going through the computer servers installed in this building.
- This building will provide security and reliable power to address loss of power, brownouts and power surges.
- The building will also be enhanced for protection from natural disasters.

**(+) Michael Duncan - Skidmore, Owens and Merrill**

- Equipment needs to be put on the roof for height and airflow concerns. Air must go through where the equipment will be located. The equipment must be ventilated vertically and the air then allowed to flow out.
- If this equipment was placed in the basement there would be a need to merge the first floor with the basement. There would also be a need to install ducts for air to ventilate vertically and another for air to come out.
- The cost to rehab this building would be comparable to the cost of two 25-story high-rises.

**(+) Arnold Townsend**

- He has been working with the prospective tenant and the contractor. They have been very proactive and aggressive in terms of their first source hiring commitments. They will be working with training programs through community-based organizations and the City (e.g. people who are moving from welfare to work).
- One of the opportunities that is about to be missed with all of these dot.com companies is that they are complaining that there are no people to hire. He believes these companies should hire people of color or disadvantaged and give them opportunities to work. The 160 Harrison project program will do just that.

**(+) Debra Stein**

- They had an opportunity to speak to about 18 different organizations and mailed out about 1,000 mailers. Most everyone was very pleased with this project and are willing to work with them. A few concerns consisted of: lighting, security cameras, paint to reflect character of the neighborhood, etc.
- They have not come across any opposition to this project.

**(-) Sue Hestor**

- She is not in agreement with the way staff has handled this project. This site needs to be re zoned for housing when it falls from public use.



- Is this a business service use? If it is, then it has to pay transportation impact development fees.
- If the site next door can hold a 600,000 sf building and 500,000 of it will be housing and this is a building of 125,000 sf then the ratio is 6 to 1 housing to commercial, there should be another 50,000 sf on the adjacent site.
- Require the developer to initiate rezoning and pay for all the fees and put some restrictions now on the use next door.

**(-) Anastasia Yovanopoulos**

- This use is more like an e-commerce thing. It is also a bit of science fiction.
- Not very much business will go to the average citizen, therefore driving up the cost of housing. This will make the project next door not affordable and not compatible to the affordable housing needed in this city.

**ACTION: Approved with the following condition: Progress report to Commission after 6 months on status of the mixed use development next door.**

**AYES: Joe, Martin, Theoharis, Mills, Chinchilla, Richardson**

**ABSENT: Antenore**

**MOTION NO: 15908**

18. 2000.266C (KIM: 558-6290)  
720 MOSCOW STREET, west side between France and Italy Streets; Lot 024 in Assessor's Block 6338 - Request for Conditional Use authorization pursuant to Section 234.2(a) of the Planning Code to install a total of two antennas and a base station on an existing Fire Station building as part of Sprint's wireless telecommunications network in a P (Public Use) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.  
(Continued from Regular Meeting of June 22, 2000)

**SPEAKER(S):**

**(+) Tony Lowe - Project Sponsor representing Sprint PCS**

- This is a preference one under the sighting guidelines.
- Sprint PCS, in 1999, did a drive test and determined that this particular area required more antenna coverage.

**ACTION: Approved**

**AYES: Joe, Martin, Theoharis, Mills, Chinchilla, Richardson**

**ABSENT: Antenore**

**MOTION No.: 15909**

19. 2000.161C (BORDEN: 558-6321)  
4040-24TH STREET, north side, between Castro and Noe Streets; Lot 12 in Assessor's Block 3656 --Request for a Conditional Use authorization under Planning Code Section 728.53 to allow the addition of office space at the second floor of the Zephyr Real Estate offices, Section 728.21 to allow a nonresidential use in excess of 2,499 square feet, and Section 728.11 to develop a lot in excess of 5,000 square feet in area; in the 24th Street-Noe Valley Neighborhood Commercial District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approve with conditions  
(Continued from Regular Meeting of May 25, 2000)

**SPEAKER(S):**



**(+) Jonathan Pearlman - Architectural Design Studio - Project Sponsor**

- The existing building was built in the '70s and it was actually a two story building that did come out to the street facade. It has been extensively remodeled to the condition it is now.
- The old bank safe is a major concrete structure.
- The entire building has different construction from different years.
- The facade cannot be designed as an older building like the surrounding structures since it's a modern building.

**(+) Bill Riffle**

- The actual floor area is set back 5 feet from the property line.
- The building was built as Gibraltar Savings and Loan, purchased by Security Pacific Bank. When Bank of America merged with Security Pacific Bank it was sold as excess property.
- He purchased the property and converted it.
- Although he is a small business owner, he feels that he can compete offering the same services as the "big guys."

**(-) Cliff Lundberg - Lives at 4028 24th Street**

- He lives in the flat on the second floor right next door.
- The policy against second story commercial use has been a very successful one. This would be a violation of this policy. This project will also impact parking.
- The light well in his home will be impacted by the proposed construction.
- The back yard use, is a bit bothersome to him because it would be a place for people to hang out and smoke so it would be different from regular residential back yards.
- He did not receive any notification of the construction.

**(-) Anastasia Yovanopoulos - Member of Noe Valley Tenants**

- The proposed project will take away houses and parking, which will cause traffic congestion.
- She believes that it would be a waste of good space to put commercial use here. It should be residential.

**(-) Paul Candis - President of the Castro East and West Improvement Club.**

- This club has been in existence since 1904. They have always worked for the quality of the neighborhood. They are concerned that the area is zoned for residential only above the street floor. Although this project is not taking away residential space, maybe some type of a condition could be place on the property--if Zephyr ever sold the space, this would come to the Commission for review of any proposed use of the upstairs space.
- His organization has reservations about this project.

ACTION: **Approved**AYES: **Joe, Martin, Theoharis, Mills, Chinchilla, Richardson**ABSENT: **Antenore**MOTION NO: **15910**

20. 2000.185C (BRESSANUTTI: 575-6892)  
**131-135 GOUGH STREET**, northwest corner of Lily Street; Lot 004 in Assessor's block 0838: Request for Conditional Use Authorization to 1) expand an existing tourist hotel per Planning Code Section 720.55 and 2) establish a non-residential use with a gross floor area of 3,000 square feet or more per Section 720.21. The proposal is to expand an existing three-story, nine-room bed-and-breakfast tourist hotel by converting the existing ground floor retail commercial space (most recently occupied by a restaurant/bar use) with up to four additional guest rooms, lobby, and office/registration area. Up to five new parking spaces would be provided at the basement level with parking access from Lily Street. Alterations to the exterior of the building would consist of replacing the second building entry at the corner with a disabled access ramp and windows, and a new garage door and windows on Lily Street. The project is in the Hayes-Gough Neighborhood Commercial District and



a 50-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**(+) Carol Bloomingfeld**

- Her family has owned this property since 1907. Since 1982, it has been a bed and breakfast.
- The building was in a terrible state, (e.g. rodents, pest infection, etc), total disregard for the beauty of the building.
- The proposed changes would not affect the exterior only the interior.
- There is a homeless shelter around the corner and she has had to ask homeless people to go away. Tourists are very put off by seeing this.
- She would like to be able to shield the office from the eastern sunshine that comes in the morning.
- She believes that the presence of an office will discourage a lot of loitering. The office hours would run from 8:00 a.m. to 10:00 p.m.

**ACTION:** **Approved with revised condition No. 6 which is being amended by staff which states: "approving subject to exhibit B which doesn't show blocked windows".**

**AYES:** **Joe, Martin, Theoharis, Mills, Chinchilla, Richardson**

**ABSENT:** **Antenore**

**MOTION NO:** **15911**

21. 1999.580EC (WANG: 558-6335)  
600 PORTOLA DRIVE, a triangular-shaped parcel, northwest side of Portola Drive at Woodside Avenue; Lot 001 in Assessor's Block 2892 - - Request for Conditional Use authorization under Planning Code Section 121.1 and 710.11 to develop a three-story over basement (garage) mixed-use building including three individual ground floor commercial spaces for a total of approximately 4,060 square feet and fifteen dwelling-units on a lot exceeding 5,000 square feet in area, within an NC-1 Neighborhood Commercial Cluster District and a 26-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**(+) Van Li - Project Architect**

- The lot is a triangular shape. They tried very hard to design a functional and attractive structure. This project will increase the City's housing supply as well as commercial space.
- The design is compatible with the neighborhood.

**(+) Dan Liberthsen - Secretary of the Miraloma Park Improvement Club**

- He would like to commend the project sponsor on the changes made per their requests.
- The difficulty with Woodside Drive, particularly with the busses during rush hour, is that the traffic can back up solidly in the right lane for a couple of blocks. The design is such that the residents won't block the sidewalk and street while they are waiting to enter and exit.
- Would like to have conditions placed on this project that chain stores will not be allowed and that the spaces for retail should remain as 3 spaces.

**ACTION:** **Approved**

**AYES:** **Joe, Martin, Theoharis, Mills, Chinchilla, Richardson**

**ABSENT:** **Antenore**

**MOTION NO:** **15912**





22. 2000.566C (CHIN: 575-6897)  
2500 TURK STREET, the block bordered by Turk, Masonic, Anza and Parker Streets; Lot 003A in Assessor's Block 1107: -- Request for Conditional Use authorization pursuant to Section 209.6 of the Planning Code to install a total of sixteen antennas and a base transceiver station on an existing four-story building at the University of San Francisco as part of Metricom's wireless Internet network in an RH-2 (House, Two Family Dwelling) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions

## SPEAKER(S):

**(+) Bob McCarthy - McCarthy and Swartz representing Metricom**

- This is a wireless Internet installation.
- There were two community meetings -- 2 people attended and they seemed to be satisfied. At the second meeting there were 4 people who raised questions about RF. Hammot and Edison were there to answer their questions and concerns.

ACTION: **Approved**AYES: **Joe, Martin, Theoharis, Mills, Chinchilla, Richardson**ABSENT: **Antenore**MOTION NO: **15913**

23. 1999.571C (ZWIERZYCKI: 558-6263)  
1344 OCEAN AVENUE, northeastern corner of Granada Avenue, Lot 16 in Assessor's Block 3198 -- Request for Conditional Use authorization under Section 711.83 of the Planning Code to install a total of nine panel antennas on the roof of a four-story apartment building, and storage and maintenance of related equipment in an existing storage room within the ground-floor garage. Storage of equipment on ground-floor will not result in elimination of parking stalls. The antennas and equipment storage are part of a wireless communication network in an NC-2 (Neighborhood-Commercial, Small-Scale) District; Ocean Avenue Fast Food Subdistrict; and 40-X Height/ Bulk District.  
Preliminary Recommendation: Approve with conditions  
(Continued from Regular Meeting of May 11, 2000)

## SPEAKER(S):

**(+) Bob McCarthy - McCarthy and Swartz - representing Cellular One**

- This is a limited preference site because it's in an NC-2 district.
- Alternative sites were looked into (15 total); but none were appropriate.
- Landscaping was proposed to camouflage the antennas.
- The tenants of the building have no objections.
- The RF readings are approximately .00025 of the NC Standard at ground.

**(+) Frank Navarro - Owner**

- He and his wife have owned this building for over 20 years.
- His tenants have lived there for many years.
- He was concerned about the health safety of his tenants and possible litigation.
- He contacted Sergio Marty Vocough of the FCC and this person assured him that there is no health danger involved.
- He would not feel comfortable if he wasn't completely assured that there was no danger.
- This proposal gives him an opportunity to provide instant fire protection in case phones are ever disabled.

**(+) John Scott Walker - Lives at 1167 Plymouth Avenue**

- He is a community activist and relies on his cell phone a lot.
- He endorses this proposal completely.



**(+) Vince Noble - Lives on Plymouth Avenue**

- He has not been able to get reliable service for his cell phone and this proposal will provide better service.
- He has elected to rely on his cell phone instead of installing a land line to his home.

**(+) Michael Caniglia - He lives in the Sunset District**

- He and his wife use Cellular One service and they love it.
- Their gym is located near this site. His wife is a counselor for Southwest Airlines and relies on her cell phone a lot.

**(+) Julian Lowery - Lives on Miramar Street**

- He eats, shops and washes his clothes on Ocean Avenue. He relies on a cell phone to communicate with his family and currently the services are very bad.
- He supports this proposal because it will provide better communication.

**(-) Jessie Waters - Represents the OMI Business Leage**

- He opposes this project because of the height of the building. The building is already oversized for the area.
- The parapet on the roof will make the building even higher.

ACTION: **Approved**AYES: **Joe, Martin, Theoharis, Mills, Chinchilla, Richardson**ABSENT: **Antenore**MOTION No: **15914**

24. 2000.240C (ZWIERZYCKI: 558-6263)  
1562-1564 WALLER STREET, Lot 8 in Assessor's Block 1247, north side between Cole and Belvedere Streets -- Request for Conditional Use authorization under Section 209.2(d) of the Planning Code to legalize the conversion of three existing dwelling units into five bed and breakfast rooms or suites on a lot containing four dwelling units within an RH-3 (Residential, House, Three-Family) District and 40-X Height/ Bulk District.  
 Preliminary Recommendation: Disapprove

SPEAKER(S):

**(+) Steve Williams -Represents Ted Loewenberg and Leah Harper**

- He supports a conditional use in a residential neighborhood.
- This project has full support of the neighborhood.
- This is a wonderful example of what a conditional use should be. It can fit into the neighborhood, it can be compatible with a neighborhood and it can serve the neighborhood.
- He believes that this proposal complies with code section 303: It is compatible in it's size, it's desirable, and necessary for that neighborhood. The entire neighborhood supports this project.
- The owners are willing to minimize the impact on housing by leaving 1 unit in this 3 unit building on the housing market.
- This can be a win-win situation.
- There is no impact on MUNI or parking.

**(+) Ted Loewenberg - Project Sponsor**

- The hospitality industry is vital to the city of San Francisco. There were over 17 million visitors in our City.
- Spencer House, a bed and breakfast, closed. It returned 6 bed and breakfast room to the residential market -- creating a shortage in the bed and breakfast space.
- The Sprekles Mansion also closed several years ago. Therefore, there is a need for a service like this.



- More than 70% of our guests coming to this B&B come there to visit friends and family in the neighborhood. What they love about being there is the convenience of being around the corner or on the next block.
  - The application for a conditional use permit was filed with Planning in response to a letter from planning.
  - There is an apartment which will be left there.
  - Would like Commission to approve project.
- (+) **David Crommin**
- The area needs desperately to provide a place for people to stay. Ted and Leah are wonderful hosts. They formed the Waller Street Association which fought drug dealing on that street when no one else cared about it.
  - Would like Commission to approve project.
- (+) **Melody (did not provide last name)**
- Please grant the conditional use permit.
  - She has lived in this neighborhood since 1978.
  - She lives in a studio, if the building ever shut down, she would not be able to afford anywhere else.
  - Because she lives in a studio, she has no space for friends and family to stay with her so having the Harper House close by is wonderful.
- (+) **David Keller - Lives at 1315 Waller Street**
- He is very proud of this neighborhood.
  - He has seen the changes in the neighborhood.
  - He has a fairly extended family and even though he has a large house, his family can stay at the Harper House if they wish.
- (+) **Rosemary Southwood - Resident of the Haight/Ashbury District for many years.**
- The building which is being renovated is very beautiful.
  - Ted and Leah are not only exemplary residents of this city and the neighborhood.
  - They have changed the neighborhood in a positive way.
  - There are no traffic problems.
- (+) **Benhard Krevet - Lives in Napa**
- He has worked and known Ted for many years.
  - It would be a shame to deny him and the City this opportunity.
- (+) **Maryann Hesse - She lives across the street**
- There is no noise, no traffic. The proposed proposal would be a wonderful addition to the neighborhood.
  - Her neighborhood has lost a bank and a pharmacy.
- (+) **Linda Dunn**
- She supports the proposal for the Harper House.
  - This would be a win-win situation and urges the Commission to approve the project.
  - The B&B contributes socially and economically to the neighborhood.
- (+) **Joe Konopka - Lives at 544 Ashbury Street**
- He has been a resident there for 11 years.
  - He is very active in the community. He is president of RAD, one of the largest neighborhood associations in the Haight/Ashbury. He is also Vice Chairman of the Haight/Ashbury Democratic Club.
  - His concern for the neighborhood is very similar to other neighborhoods. Loss of neighborhood serving businesses.
  - They lost a copy central, a bank, a pharmacy and cleaners. These businesses were replaced with businesses that do not serve the neighborhood.
  - This is a great addition for people in the neighborhood.



**(+) Karen Crommin**

- Leah and Ted have been very active in the community. Leah organizes people to wrap Christmas gifts. Ted is one of the founding members of RAD (neighborhood patrol).
- Ted has been the chair of the Waller Street Association.
- Ted was one of the members of the Alliance for a safe Haight.
- The presence of the Waller House has improved the street.

**(+) Khrista Keegan**

- Her and her family are 10 year former residents of Waller Street. While they were living on the next block, it was great to be able to have friends and family stay at the Harper House.
- Please grant the Conditional Use permit for the Harper House.

**(+) Don Smith - Lives at 1642 Waller Street**

- He has lived there for 25 years and has watched the change of the Haight.
- This bed and breakfast will not impact that active real estate or rental market very much.
- This is a service to the neighborhood.

**(+) Emelda Touns -**

- She has lived in the neighborhood for 36 years. There has been great improvement to the neighborhood since the Harper House has been there.

**(+) Terry Pinkerton - Lives at 621 Stockton Street**

- She has lived there for over 20 years.
- In 1991, the Ritz Carlton hotel opened up directly across the street from her home. It has had catastrophic impacts on the neighborhood.
- There is so much traffic.
- Tour buses in one of those lanes cause traffic jams.
- They have had dignitaries stay there and cause a lot of noise and congestion.
- The Harper House has done nothing but provide the visitor the opportunity to experience the charm of a small neighborhood.
- Mayor Willie Brown has stated the need to do more to expand the hospitality industry.

**(+) Bill Steed - Lives next door to the Harper House**

- There is no additional noise by having the Harper House there.
- This B&B has lessened the traffic in the area.

**(+) Linda Crist - Lives at 1651 Waller Street**

- Lives one block west of the Harper House Bed and Breakfast
- It is a great addition to the neighborhood. For her parent's 60th anniversary, she will have them stay there.

**(+) Kate Murphy -**

- She would like permit to be approved.
- She has lived in the neighborhood--a block away--for 15 years.

**(+) Leah Harper - Project Sponsor**

- 11 Years ago they moved to that location.
- They joined with the other neighbors and were able to get rid of the drug dealing.
- They are committed to the neighborhood. They love their neighborhood very much.

**(+) Virginia Keller - Lives in the Haight/Ashbury Street**

- Has lived on Waller Street for 22 years.
- She has cooperated to clean up the neighborhood of drug dealing.
- Her neighborhood is a tourist spot.
- They don't have enough place for people to stay in their neighborhood. There are no large hotels there.
- The neighborhood needs more places like the Harper House.

**ACTION: Project Disapproved**





AYES: Joe, Martin, Theoharis, Mills, Chinchilla, Richardson  
ABSENT: Antenore  
MOTION No. 14915

At Approximately **6:00 P.M.** the Planning Commission convened into a Special Discretionary Review (Dr) Hearing.

25. 1999.767D (JONES: 558-6477)  
374 - 24TH AVENUE, east side between California and Clement Streets, Lot 023A in Assessor's Block 1410 -- Request for Discretionary Review of BPA No. 9900945, proposing to demolish the existing two-story, single family dwelling and construct a four-story, three-unit dwelling in an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review, and approve building permit application as submitted.  
(Continued from Regular Meeting of June 15, 2000)

SPEAKER(S): None  
ACTION: DR Application Withdrawn

26. 2000.372D (WANG: 558-6335)  
96 HOMESTEAD STREET, northwest corner of Homestead and 25th Streets; Lot 014A in Assessor's Block 6503 -- Request for Discretionary Review of BPA No. 2000/01/14/108, proposing to demolish an existing first floor porch and construct a three-story addition at the rear of the existing two-story over garage, single-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as revised.

SPEAKER(S):

**(-) Anthony Jiles - DR Requestor**

- Everyone who opposes this project has a completely reasonable and uniform view on what they are asking the Commission and that is not to allow this project to go up and above the roof line of the existing matching 6 Edwardian Houses.
- When people really understood the design, they were shocked.
- The shadow studies, if they are correct, would cause a deck to be completely shadowed.
- Noe Valley neighborhood had singled out single family houses that go up 3 stories above garage.
- The units which are comparable are not single housing projects., they are condominiums.

**(-) Ken Mancuso - Lives at 4519 25th Street**

- The building is designed significantly larger than some of the surrounding buildings and homes. It is out of context and too large for the block.

**(-) Laurence Grunberg**

- Lives two houses to the north of the proposed construction.
- His concern, as it has been stated by others, is the roofline (the third story height).
- He respects his neighbors rights to expand their house as they need for more space. But a corner house really defines the neighborhood and helps define the street going in both directions. The roofline will be extremely visible since it's 3 stories over garage. It's a precedent that the neighborhood doesn't want to support.

**(-) Ernie Beffel - 70 Homestead Street**



- Lives 5 houses to the north.
- He has been actively involved in reviewing the last 4 projects on Homestead Street.
- There have been 4 projects located on Homestead Street that came before the Commission. Three of the projects were 2 stories over garage. The 4th project which was proposed for 3 stories over garage was revised eventually to 2 stories over garage.
- Given this history, he opposes 3 stories over garage. He recommends that it be sunk somewhat into the ground so it's 2 1/2 stories over garage. Or, that the addition go out further so the same number of square feet can be accomplished.
- He and the neighbors are concerned that if this project goes forward someone will want to purchase three downhill houses that remain underdeveloped and make them three stories.
- Another suggestion would be to continue the project for mediation purposes.
- (-) Al Longfield - Lives at 4515 "B" 25th Street**
  - Most of the people speaking to support the DR don't have a problem with the addition.
  - The addition causes problems with the aesthetics of the neighborhood.
  - Adding an addition of 70 to 75% of the existing square footage is a very dangerous precedent to set. This matter should be reconsidered.
- (-) Carey Perloff - Lives at 92 Homestead Street**
  - Most of the houses which approach the scale of the proposed house are multi unit houses.
  - This house is widely out-of-scale.
  - On April 6, she and her husband looked at the shadow studies and looked at the shadow impact on their home. They decided it was totally unacceptable to them. Three months later, nothing has changed with the plans or design.
- (-) Ken McNeely - Lives at 4521 25th Street**
  - He endorses the comments by his neighbors.
  - His concern is that the height does affect the light and air on his property.
- (+) Audrey Co - Project Sponsor**
  - Their growing family is the cause for the Increased space needs. They looked into many design alternatives trying to put them into the smallest envelope possible. Building something in the garage would be impossible because it's uninhabitable.
  - Discussions and meetings with the neighbors took place and she is surprised that there are so many neighbors here since they had not heard from many of the neighbors even though they had meetings with them.
  - Shadow studies show little added impact from the 2-story vs. the 3-story rear addition.
  - Scale and design fits in with neighborhood. DR Requestor's house is within 15 % of proposed project size. - There are more than 20 additional properties in immediate vicinity that are comparable or larger.
- (+) Tony Pantaleoni - Project Architect**
  - He was concerned about blocking the neighbors views.
  - He did a study on possibly constructing the addition in the basement but the car spaces would be lost. He looked into the living room but it became evident that it would not work. So he tried to minimize the mass of the addition proposed for the rear. He tried to keep it as small and compact as he possibly could to minimize the view blockage.
  - He is not trying to set precedent here. This is not a monster home.
- (+) Gayta Bell -**
  - Their family has grown.
  - They have "bent over backwards" to try to fit what they need into the smallest possible space. They are not developers, but family.
  - They have been good neighbors with the folks at 92 Homestead. They are not asking for anything exceptional or unique.



- They have lived there for 9 years.
- Street parking is very difficult and they don't want to be forced to park on the street.
- They would like to stay in their home, where they have lived for 9 years; and would like to stay in their neighborhood, where they have lived for 20 years.

**ACTION: Take DR and allow expansion up to the 2 stories and match the existing roof line.**  
**AYES: Joe, Martin, Theoharis, Mills, Richardson**  
**NAYES: Chinchilla**  
**ABSENT: Antenore**

Adjournment: 6:41 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, July 27, 2000.**



55  
10  
13/00

# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Supervisor's Chambers - Room 250  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, July 13, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

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**PRESENT:** Antenore, Joe, Mills, Theoharis, Chinchilla, Richardson, Martin  
**ABSENT:** None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:45 P.M.

**STAFF IN ATTENDANCE:** Gerald G. Green - Director of Planning, Hillary Gitelman; Rana Ahmadi; Amit Gosh; Isolde Wilson; John Billovits; Paul Lord; Paul Maltzer; Paul Deutsch; Scott Edmondson; Catherine Keylon; Julian Banales, Greg Nikitas; Kenneth Chin; Nora Priego - Transcription Secretary, Linda D. Avery - Commission Secretary

### A. ITEMS PROPOSED FOR CONTINUANCE

1. 1999.151E (MALTZER: 558-6391)  
SANITARY FILL COMPANY SOLID WASTE FACILITY PERMIT REVISION; 501 TUNNEL AVENUE;  
Assessor's Block 4991/Lots 7, 8, 9 and 82 in San Francisco County; and Assessor's Block 152/Lots 030, 340 and 220 (partial) in San Mateo County. **Appeal of Preliminary Negative Declaration.** The Sanitary Fill Company seeks to revise its Solid Waste Facility Permit to allow for: (1) the removal of scheduling restrictions on refuse fleet hauling; (2) an increase in permitted vehicle trips per day; (3) approval to stage and handle source-separated organic waste as a separate waste stream; (4) approval to enclose the construction and demolition debris sort line and increase the hours of sort line operation; and (5) removal of the Household Hazardous Waste Collection Facility from the Solid Waste Facility Permit. *Preliminary Recommendation: Uphold Preliminary Negative Declaration*  
(Continued from Regular Meeting of June 8, 2000)  
(Proposed for Continuance to August 24, 2000)

**SPEAKER(S):** None

**ACTION:** Continued to August 24, 2000





AYES: **Theoharis, Mills, Antenore, Joe, Martin, Chinchilla, Richardson**  
ABSENT: **None**

- 2a. 2000.225CV (NIKITAS: 558-6306)  
3131 WEBSTER STREET, north west corner of Moulton Street, Lot 002 in Assessor's Block 0509 - Request for Conditional Use Authorization under Planning Code Sections 121.2 and 712.21 for use size exceeding 6,000 square feet. The proposal is for a Business or Professional Service Office (McGuire Real Estate) of 12,160 gross square feet to be achieved by remodeling into offices an existing former restaurant, The North India, (two structures totaling 4,960 square feet in area) and connecting those structures to the existing adjacent real estate offices at 2001 Lombard Street (gross area of 7,200 square feet) via a new second-story pedestrian bridge between the lots. The subject properties are within an NC-3 (Moderate Scale Neighborhood Commercial) District and 40-X Height and Bulk District. *Preliminary Recommendation: Pending*  
**(Proposed for Continuance to August 24, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued to August 24, 2000**  
AYES: **Theoharis, Mills, Antenore, Joe, Martin, Chinchilla, Richardson**  
NAYES: **None**  
ABSENT: **None**

- 2b. 2000.225CV (NIKITAS: 558-6306)  
3131 WEBSTER STREET, north west corner of Moulton Street, Lot 002 in Assessor's Block 0509 The Zoning Administrator will conduct a joint hearing on a request for a parking variance per Sections 151 and 712.22 of the *Planning Code*, which require eight off-street parking spaces for the proposed use of subject property, located within an NC-3 (Moderate Scale Neighborhood Commercial) District and 40-X Height and Bulk District. No off-street parking is proposed.  
**(Proposed for Continuance to August 24, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued to August 24, 2000**  
AYES: **Theoharis, Mills, Antenore, Joe, Martin, Chinchilla, Richardson**  
NAYES: **None**  
ABSENT: **None**

3. 1995.385E (KUGLER 558-5983)  
444 DIVISADERO STREET, TOUCHLESS CAR WASH **Appeal of a Preliminary Negative Declaration** on Assessor's Block 1216 - Lots 5, 17, 18, 19, located on the northeast corner of Oak and Divisadero Streets in the Western Addition. The proposed project would demolish two existing buildings at 1060-1062 and 1052 Oak Street and construct a new two-story mixed-use building with two dwelling units on the second floor and an auto detailing services and a parking space on the ground floor. There would be one level of underground parking with 13 spaces accessed by a commercial automobile elevator. The underground parking would be covered by landscaping. An additional two story structure would be constructed to serve as an employee lounge and storage area. Two shed roofed open sided structures would be constructed to connect the existing car wash structure and the two proposed structures. Minor modifications in the form of the addition of a covered waiting area and the enclosure of an existing laundry facilities would be done to the existing car wash building. The car wash vehicular circulation and queuing area would be expanded and reconfigured. The proposed site is split between two zones; lots 5, 17, 18 and the portion of lot 19 that fronts on Oak Street are zoned NC-2 while the interior remainder of lot 19 is zoned RH-3. A



rezoning of the interior portion of lot 19 from RH-3 to NC-2 is proposed as a part of the project. The project also has two Height/Bulk Districts 65-A and 40-X. *Preliminary Recommendation: Uphold Preliminary Negative Declaration*

(Continued from Regular Meeting of June 15, 2000);

**(Proposed for Continuance to ~~September 14, 2000~~ August 24, 2000)**

SPEAKER(S): **None**

ACTION: **Continued to August 24, 2000**

AYES: **Theoharis, Mills, Antenore, Joe, Martin, Chinchilla, Richardson**

NAYES: **None**

ABSENT: **None**

4. 2000.249D (MARTIN: 558-6616)  
1050 IOWA STREET, west side between 23rd and 25th Streets, Lot 016 in Assessor's Block 4226 – Request for Discretionary Review of BPA No. 9907699, BPA No. 9907700, and BPA No. 9907701, proposing to construct three buildings containing a total of 26 live/work units: Building A with ten; Building B with six; and Building C with ten, each building to be four stories and one mezzanine, in an M-1 (Light Industrial) District (Industrial Protection Zone) and a 40-X Height and Bulk District. The site is an odd-shaped (narrow and long) vacant lot. The project is set for a Mandatory Discretionary Review per City Planning Commission Resolution No. 14861.  
*Preliminary Recommendation: Take Discretionary Review and disapprove this proposal*  
(Continued from Regular Meeting of May 11, 2000)  
**(Proposed for Continuance to September 14, 2000)**

SPEAKER(S): **None**

ACTION: **Continued to September 14, 2000**

AYES: **Theoharis, Mills, Antenore, Joe, Martin, Chinchilla, Richardson**

NAYES: **None**

ABSENT: **None**

## B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))



**SPEAKER(S):****John de Castro - Lives in Potrero Hill**

- He has been a resident of Potrero Hill for over 20 years.
- There is a similar problem in the Mission as well as Potrero Hill --rampant, unplanned office development and business services being perpetuated throughout the neighborhoods.
- He finds it hard to believe that the ZA authorized the Ron Kaufman project at 450 Rhode Island as business services. His marketing people sit right next to this site and it is definitely not a business service. It's an office.
- This is just an attempt to get around prop M.
- Most of the hill is surrounded by land that has either been zoned commercial or industrial.
- They need money allocated in next year's budget to expand the neighborhood planning efforts. Similar to what is going on with the Neighborhood 2000, in the Dogpatch area.
- The planning Commission is addressing that area. A similar effort needs to be made to the Mission District.

**Patricia Vaughney**

- She has problems with information being provided on computers.
- On item 19, 5 out of 6 associations did not get notified.

**Gladys Sandlin - Executive Director of Mission Neighborhood Health Center**

- This health center has been in the neighborhood for 23 1/2 years. They serve 13,000 patients.
- 40% of the 13,000 patients have been forced to leave the City. These are the people that work in the hotel industry, they serve our food, they do attendant care, they clean our houses, etc.
- There is an increase in community needs.
- She would like to urge the Commission to form a community-based coalition and plan appropriately.
- She requests that the Commission takes this seriously because they are the people that move the City. The Commissioners are elected officials who have the civic duty to uphold the social contract to ensure the unique character of San Francisco.

**Leroy Moore**

- Advocate of minority organization.
- The only family organization for children in the Mission is located in the Bay View Building which will be closing.
- How can they serve the community if they can't live in the community?

**Lisa Gray-Garcia - Poor Magazine**

- The Commission holds the future of non-profits, low-income and working people. The Commission has been systematically approving projects that push them out of the City.
- Poor Magazine exists to get voices heard that are not heard
- She is proposing as a community, that if the Commission doesn't do something soon to help the nonprofits, they will be forced to have "outbursts."

**Ethel Newlin - St. John's Educational Threshold Center**

- The children and youth are the future. The way things are going now there will be no future in San Francisco because people with families will not be able to live here.
- How does building an office complex affect the children? The people who work in the new office complex will need a place to live.
- It doesn't matter anymore if you are poor, working class, or middle class. People with money are coming into the City and either purchasing or renting, therefore, pushing the poor out.
- A city with no young people has no future.
- The commission has the responsibility as custodians of the future to plan for a place for



people to live, work and raise their families.

**Sergio Canjura**

- Current project coordinator of a proposed Mission Neighborhood Resource Center in the Mission District which will serve the poor and homeless in the area.
- Due to the decisions that the Commission has made, their organization hasn't been able to find a site to run this project.
- He would like for the Commission to respect them, to take account of what the people really need.
- There are people in the area that need the resources and space in the area.

**Antonio Alcala**

- He requested a moment of silence for all the people that might die on the streets because they have been evicted and have no place to go since there is no affordable housing in the City.

**Carmen Ramirez**

- She supports the Latino and Color community in the Mission District.
- She has been suffering for over 3 years and is afraid of displacement of her small business.
- It is very difficult to maintain a small business in the Mission District.
- She asked the Planning Department and the Planning Commission to put their feelings forward along with the decisions they make.
- There are children and families that are being affected with these decisions.
- There are no words to describe what families go through when they are displaced.
- She thanked the for the time the Commission takes to help the community.
- Please take these words and thoughts into consideration.

**Eric Quesada** - Member of the Mission Anti-displacement Coalition

- There is a rally outside of City Hall representing those people who have been displaced.
- The Mission District community and other working class neighborhoods have not been the same since the evening of June 28. Before that many have spent countless hours giving testimony in front of the Commission. They have spent countless hours fighting eviction after eviction for the past 5 years. The result is that they feel more and more removed, discounted and dis-empowered.
- The community will act now and speak no matter who it offends.
- Today they are here as delegates of the Mission Anti-Displacement Coalition and representing sectors of their community and the voices outside of City Hall protesting the policies of displacement the Commission has implemented.
- He publicly acknowledged the attendance of Director Green, Commissioner Chinchilla, Commissioner Mills, and Commissioner Richardson at their June 28 community meeting.
- They would like to give a brief presentation of what was presented at that meeting.

**Matt Brown** - St. Peter's Housing Coalition

- There are over 500 people outside on the Polk Street side in front of City Hall.
- The Mission District has always been the home of poor and working class families. These families are being driven out of their homes from this City because of the developments the Commission has been approving.
- This Coalition counsels and advises low income renters from all over the City about their rights and responsibilities. In the 4 years he has worked there, the numbers have tripled.
- Government officials can do something to protect low income families by adopting the Mission Anti-Displacement Coalition's temporary moratorium on new development.
- Since 1994 developers have built 650 new live/work units in the Mission District alone. These units are not meant for families. These lofts are displacing businesses and are changing the face of the Mission District. About less than 5% of the new 650 units are occupied by artists. The vast majority of artists are not able to afford a \$500,000 one bedroom





apartment.

- Sheik condos are taking over the middle class, immigrant and facility-centered neighborhood.

#### **Antonio Dias - Member of PODER and the Mission Anti-Displacement Coalition**

- The demand that was made at the community meeting on June 28, 2000 was about an immediate moratorium covering the entire Mission District on conversions and new construction of office space, dot.com space, or business service space or whatever it is being called this week.
- Because of the actions of the Planning Department and the Planning Commission, there is a proliferation of office space in the neighborhood. The price of real estate has "sky rocketed" which makes it difficult to develop affordable housing and maintain small businesses and fight industry. The proliferation of these dot.com spaces is the reason for the high rents in the Mission.
- Just a few weeks ago, Bryant Square was approved for 160,000 sf of office space. 2701 16th Street is being converted to 100,000 sf of office from apparel manufacturing. At 2300 Harrison Street, a factory is being converted to 68,000 sf of offices. The Best Foods Building is being converted to office space with no hearing at all.
- There has been about 850,000 sf of office space converted in the past 4 years.
- Smaller industrial buildings throughout the Mission District have been converted to office use without any notices or hearings.
- Rent levels in the neighborhood have been adjusted to downtown office rent levels.
- He acknowledges that a day after the community meeting held on June 28, the Planning Department sent a letter of violation to Mr. Robert Court, who's family purchased the Bay View Building. Yet, it shouldn't be up to the community to be notifying the department of doing it's job.

#### **Gena Castro - Mission Neighborhood Center**

- She is here as a delegate of the Mission Anti-Displacement Coalition.
- Since 1994 the Planning Commission has promised to rezone the Mission District, protect jobs, and limit live/work lofts. Instead the Commission has not rezoned the district, has had no comprehensive community input into land use planning, approved hundreds of live/work lofts and allowed industrial buildings to be used as offices.
- Community members have developed an assessment of the Mission. Community organizers are soon to open community process to include maximum and meaningful participation. The community is working on creating a zoning initiative to protect the neighborhood.
- The community is here to inform the Commission that they have two demands: 1) the Commission commit to a community-based process to rezone the Mission and work with them to create a meaningful community inclusiveness; 2) The Commission reprogram funds in the 2000-2001 budget so that rezoning can occur as soon as possible, including a senior planner to be in communication with them and assist in the process.

#### **Lisa Pagan**

- Project Manager with Mission Housing Development Corporation
- She is a planner with a masters in City Planning from UC Berkeley and a member of MAC.
- The demands that they have are to requests a moratorium of all market-rate housing and multimedia class developments and conversions.
- She read out loud Section 303.7 which talks about interim zoning controls.

#### **Dr. Concha Saucedo Martinez - Executive Director of Instituto Familiar de la Raza**

- She hears everyday, the cries of the displaced people in the Mission District.
- Our community may be poor in profit but they are rich in diversity, in culture and in spirit.
- They ask that the Commission listen carefully and allow for a moratorium of office conversions and dot.com offices in the Mission, as well as stopping illegal conversions of light-



industrial commercial space into offices.

- Would like to rezone the Mission District and provide funds for this.
- She is anxious to hear what Mr. Green will say since he attended the Community Meeting on June 28, 2000.

**Maria Martinez**

- She works at the Rent Board.
- The issue of displacement is very important. Live/work spaces are wonderful but they don't house people who service the City and County of San Francisco. These people cannot afford to move out and come back to work at restaurants, cleaners, etc.
- Bidding was conducted over the computer Internet to purchase lofts. Many low-income families don't have computers.
- A moratorium is important in the Mission right now but it is more important for developers to build homes for the families.
- The Planning Commission needs a report of all the families that are being evicted from the Mission District.
- One has to look at the lifestyles that are being displaced in the Mission and in other areas.

**Joan Holden**

- She is a member of the artist community which was displaced from North Beach in the '60s and that now is being displaced from the Mission, after 30 years.
- She is also speaking for the Artists Alliance who got together to form a list of demands which was presented to Director Green at the community meeting held on June 28.
- Make the interim zoning controls that say no lofts in industrial zones permanent.
- Define live/work lofts as housing and treat them as housing. Allow office and residential use in industrial areas only as accessory use to industry including arts. Define dot.com spaces as what they are -- offices.

**Gloria La Riva - International Action Center**

- She has lived in the Mission District for 19 years.
- There is truly a crisis that speakers have analyzed, and as a result, have given the Commission a very important alternative for a zoning proposal.
- They had a march in the Mission for housing last October. Citizens and non citizens came out to support.
- If after all this testimony today, the Commission does not take action as needed, she promises a very powerful movement.
- Many of them live and work and struggle.
- She lives in the Mission and believes that the owner will Ellis Act the building soon--has already sent illegal eviction notices.
- 9 adults live in one apartment to be able to afford \$1,000 rent.
- The Redevelopment Agency admitted a number of years ago that they destroyed the Fillmore and eliminated 98% of African American owned businesses. The same is going on in Hunters Point.
- They cannot allow anymore development in the Mission or anywhere else.

**Rachel Aonan - Works at the International Action Center**

- She works there as a political activists.
- It is very discouraging to know what is going on with the evictions.
- It is important that people voice their opinions.

**Kaira Espinoza**

- She was born and raised in the Mission District. Over the years she has witnessed all the changes taking place in the City.
- If the goal is to develop a community and give them economic opportunities, build affordable housing, and computer training centers. There is always much talk about how poor the



Mission is. The reason the community is poor is because of lack of training and support, no lack of high rent, low wages and discrimination.

- As soon as Valencia Street becomes more developed, there will be valet parking and cars can park in the middle of the street. When do residents get to park in the middle?

- There are new palm trees being planted, new parks and lofts being built. This is the reason why there is no money to put into affordable housing, schools and community programs. The only people being hurt are children and future generations.

**Sue Hestor -**

- Regarding Item 8 - 360 10th Street on the agenda. The Commission will vote on allowing an affordable housing building to be demolished and instead build 6 units of upscale lofts. This vote will affect the Mission, Chinatown -- any poor community. She would like this project to not be approved.

- Regarding Item 10 - 673 Brannan Street on the agenda. The Commission will vote on this whether or not they have adequate information on the largest live/work development.

- Regarding Item 11 - 1247 Harrison Street - The bus company is moving out of San Francisco because of 64 live/work units. Is there a demand or is this more dot.com offices?

- Item 22 - 1228 25th Street was taken off the calendar because the developers are changing the two projects, which are next to this site, to dot.com without any notices or any hearings.

- 580 Howard was taken off the calendar because the developer withdrew the application.

**Lloyd Schloegle**

- Regarding 1247 Harrison. This site is recently used as Samtrans bus parking.

- This proposal is to move the site to Pier 96. The alternative site has not been well thought out.

- This site at Harrison Street is a poor choice for housing since there is a freeway entrance there.

**Ken Fugioka - Attorney at the Asian Law Caucus**

- Every day people are being evicted from San Francisco.

- Regarding 360 10th Street. There will be a demolition of two housing units.

- This is a terrible reversal where in one situation live/work is considered not housing not required to fulfill other requirements that other housing is required to make and on the other hand replacing housing with live/work space.

- The Commission is ready to lift it's requirement for the house that is being demolished without fulfilling the requirements of existing policy.

- These standards were made to protect housing throughout the city.

- For this commission to approve the demolition and replace it with live/work space is a real travesty.

- He urges this commission to take a second look at this development or to reject it as a whole.

**Jennifer Freedomback**

- She lives on Harrison Street.

- There were 500 people outside protesting in front of City Hall who wanted to speak but instead sent in delegates of MAC.

- She wants to comment as a resident of the Mission.

- As new developments are coming and new people are moving in, there has been an increase of desirability and a direct link to Ellis Act evictions and other evictions that have taken place that have driven up the rents.

- She would like to reinforce a moratorium on the Mission District.



**C. COMMISSIONERS' QUESTIONS AND MATTERS****5. Commission Matters**

**Commissioner Antenore:** This morning's Chronicle had an article about the new procedures under CEQA and the various charges and fees proposed. Would like to schedule this issue on the agenda prior to the Board of Supervisor's August 1 hearing to discuss this matter.

It would be a good idea to allow written comments to come in a few days after the oral testimonies following draft EIR hearings. This would give people an opportunity to hear the oral testimonies and still have time to submit further written comments. This would be important especially in controversial EIRs. Ms. Gitelman mentioned that she had no objection to going back to that procedure.

**Commissioner Mills:** Would like to schedule a hearing on the Mission District Moratorium to hear from all sides. For a long time the Mission has been pleading for jobs which they are now getting yet they come with impacts on transportation and affordable housing. There are millions of dollars in the Mayor's Office of Housing and it would be interesting to see how this gets spent. Information needs to be brought to the Commission that helps frame the issue. Next week, staff should be prepared with a date when a hearing will be scheduled.

Would like a recommendation on the definition of live/work. She believes that it should be called housing; this would abolish the interim definition that has created so much difficulty. A clarification should be made on two policies that are conflicting: 1) policies that try to protect housing from demolition to keep affordable housing; and 2) policies that ask to increase density along major transit routes and transit hubs. Changes and/or prioritizing need to be made in order to avoid any conflicts.

**Commissioner Richardson:** She is inclined to rezone the mission district. Rather than looking at isolated cases, planning the entire district should be the start. A map should be made of the district.

**D. DIRECTOR'S REPORT****6. Director's Announcements**

**Gerald Green:** *Response to Demands made by the Mission Anti-Displacement Coalition:*

He complements the Mission Anti-displacement Coalition for a very well organized and focused meeting held on June 28, where he as well as Commissioners Richardson, Mills and Chinchilla attended.

- The Commission and the department did hear about the concerns of the changes going on in the Mission: the impact on rent and lease increases, the harm that evictions are causing, displacement issues, loss of affordable housing, and lack of planning.

- He respects the passion that the community has for these issues but believes that this energy is not being directed in the right direction.





- San Francisco is experiencing phenomenal growth. San Francisco and the Mission are not the only ones being subjected to the demands of the growth and the new technology coming into the city.
- The challenge of the Commission and the Planning Department is to harness this economy so that San Francisco doesn't do away with this growth.
- He believes that there is a misconception with regards to the planning process. Land use policies do contribute to change in the City. The big picture is that there are other agencies and other members of government that are a part of this process. For example, the rent arbitration board has the ability to affect illegal rent and lease increases.
- The City Attorney's office, the Building Department, the Mayor's Office of Housing also play a big part in this.
- The Board of Supervisors plays a big part in this issue since they approve or disapprove the budget.
- In the 80s, the Planning effort was focused on generating land use policies which would stimulate appropriate growth.
- Today in the 90s, the challenge and the efforts should be focusing on guiding this growth.
- He takes offence that the department is not being guided by the General Plan (GP). The GP is a guiding light. It is contained in each of the recommendations.
- The department is very much aware of the fact that state law requires that no determination, no approval be made unless it be found to be in conformity with the general plan. The General Plan was developed with a great deal of input by various communities and neighborhoods of this City.
- A request was made at the June 28 meeting for him to authorize a moratorium yet he doesn't have the authority to do so.
- He would remind this commission and others that at this time last year, the Commission was considering the live/work issue as well as policies and controls. A moratorium was discussed yet the Commission was concerned about a moratorium and a decision was made not to establish one.
- In January the Planning Department will be back before the public to discuss their work program for the next fiscal year. Now is the time to discuss what should be put on that work program.
- If there are illegal conversions, the department will go after them.
- There is an agreement that there should be more of a community-based focus in Planning. The department will make that happen. Discussions should be conducted now regarding this issue.
- He is willing to work with the Mission Anti-Displacement Coalition along with others throughout the City to do better planning.

*Status of the American Can Company (ACC):*

- Andrea Wong was assigned to investigate evictions of ACC.
- The department after receiving numerous requests, conducted a background search, permit history, and site visit. The site visit was conducted last Friday (7/6/00) because the property owner did not make it easy for the department to access the site.
- There is a tenant, a bakery, who is occupying some space at this location but there is no conversion going on there [this space].
- The Building Department has stopped permits.
- There has been some conversion of this building to office use.
- The permit history is very extensive so the Department will be going into more detail.

*Status of the Bay View Bank:*

- The department did accelerate the investigation process of this building.
- This building was originally developed and occupied by Bay View Bank in 1961. Bay View Bank sold the building but leased the entire building back in 1981. In 1999, the Court Family purchased the building from the previous owner. At that time, the lease for Bay View Bank expired and they left the building in June of this year. The new tenant is BigStep.com.
- The issue of the impact of the non-profits is quite real. The Court Family and BigStep.com are



prepared to work with the neighborhood to ensure that there will be space available for non-profits. This space will be offered at an affordable rate.

*The Budget Process:*

- The Finance Committee did not agree with the Department on the recommendation of the work program and budget. Especially in regards to a position requested to meet the demands of the Sunshine Ordinance.
- He still believes that the position is needed and is important and will be working with the Supervisors and try for a reconsideration and re-evaluation.

*Lombard Corridor:*

- The Department is requesting additional funding to carry out a study of the Lombard Corridor. Approximately \$35,000 is being added by Supervisor Newsom to study the issues of land use control.
- Supervisor Brown is asking for an increase in the budget by \$300,000 to be able to complete the Transit Oriented Development Plans for Balboa Park Area.
- Supervisor Becerril and others are interested in adding an appropriate figure to help the Department carry out the efforts of the Better Neighborhoods 2002 program. The study for the Mission District might be able to be carried out sooner.

*Other items which will be discussed next week:*

- Permit Processing Procedures requested by Commissioner Chinchilla
- Status of the Affordable Housing Fund

**Hillary Gitelman**

*- Regarding update to Chapter 31 of the Administrative Code.*

- There was to have been a hearing this morning at one of the Board committees but it has been postponed to August 1.
- The Chapter is severely out-of-date. It has not been amended for 10 or so years. The state law has changed multiple times. This has been in the Department's to-do list for a very long time--to bring it in conformance with state laws.

- Supervisor Kaufman has been working her way through the code trying to streamline the code--take out unnecessary sections and make improvements where necessary.

- The Legislation will be heard on August 1. It will have little or no affect with the way the Department or the Commission treats environmental issues. With only one exception: a procedure that EIR's be appealable by the Board of Supervisors which is mandated by state law. The fee for this would be \$1,000. Ms. Gitelman believes that this fee is not out-of-line.

7. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

**None**

**E. CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED**

8. 1999.746C (BRESSANUTTI: 575-6892)  
360-10TH STREET, west side between Folsom Street and Harrison Street; Lot 9 in Assessor's Block 3520 - Request for Conditional Use Authorization to allow the demolition of two dwelling units per Planning Code Section 803.5(b) and 233(a) and to allow construction of six new live/work units in the Industrial Protection Zone across the street from the Mixed Use Housing Zone per Planning Commission Resolution No. 14861, in the South of Market Service/Light Industrial/Residential



(SLR)Mixed Use District and a 50-X Height and Bulk District.

*Preliminary Recommendation: Approval with conditions*

(Continued from Regular Meeting of May 25, 2000)

**Note: On May 25, 2000, following public testimony, the Commission closed the public hearing. A motion of intent to approve with the requirement that the project always have a live component to it and that it never be allowed to convert to commercial use, failed to carry by a vote of +3-1; Commissioner Antenore voted no. Commissioners Mills, Joe and Martin were Absent.**

SPEAKER(S): None

ACTION: **Approved with condition that the project always have a "live" component to it and that it never be allowed to convert to commercial use.**

AYES: **Theoharis, Mills, Chinchilla, Richardson**

NAYES: **Antenore, Joe, Martin**

ABSENT: **None**

MOTION No. **15916**

9. 2000.211C (KEYLON: 558-6613)  
**570- 42ND AVENUE**, east side between Geary Boulevard and Anza Street, Lot 60 in Assessor's Block 1503- Request for Conditional Use Authorization under Planning Code Section 209.1(g) to construct a four unit building on a 6,000 square foot lot in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.  
*Preliminary Recommendation: Approval with conditions*  
(Continued from Regular Meeting of June 22, 2000)  
**Note: On July 6, 2000, following public testimony, the Commission closed the public hearing. A motion to approve failed to carry by a vote of +3-3. Commissioners Theoharis, Joe, and Chinchilla voted no. A substitute motion to continue this matter and allow the Department of Building Inspection to review the current demolition report passed by a vote of +6-0.**

SPEAKER(S): None

ACTION: **Approved**

AYES: **Theoharis, Mills, Chinchilla, Richardson**

NAYES: **Antenore, Joe, Martin**

ABSENT: **None**

MOTION NO. **15917**

10. 1999.234E (EDMONDSON: 558-5994)  
**673-683 BRANNAN STREET/168-178 BLUXOME STREET LIVE/WORK -- Appeal of a Preliminary Negative Declaration:** Assessor's Block 3785/Lots 20 & 21 situated on the south side of Brannan Street between 5th and 6th Streets within the South of Market neighborhood. The proposed project would construct four new buildings containing a total of 177 live/work units and 177 parking spaces at 673-683 Brannan Street/168-178 Bluxome Street. The project would demolish an existing 10,000 square foot warehouse structure. Each new structure would be 55 feet tall, and would cover the full lot length and width, from Brannan Street to Bluxome Street. The project site is within an SLI (Service/Light Industrial) zoning district and within the Industrial Protection Zone adopted by the Planning Commission as an interim zoning control. *Preliminary Recommendation: Uphold Negative Declaration* (Continued from Regular Meeting of June 8, 2000)  
**Note: On June 8, 2000, following public testimony, the Commission closed the public hearing. A motion to uphold negative declaration failed to carry by a vote of +3-3 with Commissioners**



**Antenore, Joe and Martin voted no. Commissioner Theoharis was absent.**

**SPEAKER(S): None**

**ACTION:** Upheld Negative Declaration

**AYES:** Theoharis, Mills, Chinchilla, Richardson

**NAYES:** Antenore, Joe, Martin

**ABSENT:** None

**MOTION No. 15918**

11. 1999.243D (BANALES: 558-6339)  
1247 HARRISON STREET, south side of Harrison between 8th and 9th Streets, Lot(s) 063, 065, 066 in Assessor's Block 3757 -- Staff-initiated discretionary review on building permit application nos. 9907688S, 9907689S and 9907690S, proposing to demolish the existing building on site and construct three new live/work buildings containing a total of 64 units. The proposed project is in a Service/Light Industrial (SLI) District and the Industrial Protection Zone, and a 40-X Height and Bulk District. *Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.*

(Continued from Regular Meeting of June 1, 2000)

**Note: On May 4, 2000, following public testimony, the Commission closed the public hearing. A motion to not take discretionary review and approve the proposal failed to carry by a vote of +3 -2. Commissioners Antenore and Joe voted no. Commissioners Mills and Martin were absent.**

**SPEAKER(S): None**

**ACTION:** Approved as submitted - No Discretionary Review

**AYES:** Theoharis, Mills, Martin, Chinchilla, Richardson

**NAYES:** Antenore, Joe

**ABSENT:** None

**F. REGULAR CALENDAR**

12. 1999.554E (AHMADI: 558-5966)  
601 KING STREET OFFICE BUILDING- Public Hearing on the Draft Environmental Impact Report. The project site occupies Assessor's Block 3800, Lots 1 and 2, between King, Seventh, Deharo and Berry Streets, and is in an M-2 (Heavy Industrial) zoning district and a 50-X height and bulk district. The proposed project would involve the demolition of two warehouse buildings at 830 Seventh Street and 601 King Street and the construction of a 4-story plus mechanical penthouse and basement parking level office structure, approximately 50 feet tall. The proposed new building would contain approximately 238,000 gross square feet of office space. The structure would provide about 321 off-street independently accessible parking spaces in the basement level and ground-floor garage. The project would include two off-street loading spaces. *Preliminary Recommendation: No Action Required.*

(Continued from Regular Meeting of July 6, 2000)

**The public comment period has been extended to the C.O.B. on July 13, 2000**

**SPEAKER(S):**

**Judy West:** - This project is adjacent to the Mission Creek Bikeway.

- There is a sewer easement on the back side of the project where there is outdoor parking.





- She received a grant from the Metropolitan Transportation Commission for a planning study on this bikeway project. There will also be matching funds from the Department of Parking and Traffic.
- She hopes to use a little corner of this sewer easement for a thru bikeway with some green space.
- She would like the project sponsor to know that they are not required to have parking on that slot. Funds will be raised to do capital improvements along this route.

**Lloyd Schloegel:** - There is no need to erect a new office building on this site. This proposal is redundant and unnecessary. This project should be rejected.

**Sue Hestor - San Franciscans for a Reasonable Growth**

- She would like to translate Ms. West's comments into a request for an alternative that protects the land for the Mission Creek Bikeway. If it's not in the EIR the City cannot consider it.
- There is no information in EIRs about offices, dot.coms, business sector, research and development or whatever the proper name is.
- EIRs are supposed to be written so that the local person can understand them.
- EIR formulas are calculated from very old formulas which don't apply to today's exploding growth.

**ACTION:** **Public Hearing Held - No action required.**

13. 1998.898E DEUTSCH (558-5965)  
**HETCH HETCHY WATER TREATMENT CHLORAMINE CONVERSION PROJECT: Public Hearing on Draft Environmental Impact Report.** The project is the proposed conversion of the disinfectant for the San Francisco Public Utilities Commission (SFPUC) drinking water supply from chlorine to chloramine, to improve reliability of the system to meet water quality requirements of the federal Stage 1 Disinfectant/Disinfection By-Products Rule, promulgated by the U.S. Environmental Protection Agency in 1998. The project would involve construction of chlorine and ammonia feed systems; dechlorination and dechlorination facilities; chemical storage systems; and ancillary roadways and pipelines, mostly at existing SFPUC facilities in four locations: Tesla Portal off of Vernalis Road near Tracy in San Joaquin County; San Antonio Pump Station on Calaveras Road in Sunol Valley, Alameda County; Pulgas Water Temple vicinity on Cañada Road, San Mateo County; and Harry W. Tracy Water Treatment Plant off of Crystal Springs Road in San Mateo County. *Preliminary Recommendation: No Action Required*

**The public comment period closes at 5:00 p.m. July 19, 2000.**

**ACTION:** **Public Hearing Held - No action required.**

14. 1998.770E (MALTZER: 558-6391)  
**1738-9TH AVENUE**, east side between Moraga and Noriega Streets; Lots 31 and 32 in Assessor's Block 2041 - **Appeal of a Preliminary Negative Declaration** for a proposal to demolish an existing one-story building containing a preschool and community meeting room, and construct a new four-story building containing eight senior housing units, a preschool and community meeting room. *Preliminary Recommendation: Uphold Negative Declaration*  
 (Continued from Regular Meeting of April 6, 2000).

**SPEAKER(S):**

**(-) Mary Glennon**

- She has been a resident of 9th Avenue for many years.
- She filed an appeal to the Negative Declaration along with Dr. Deito in July of 1999.



- They were motivated to file this appeal because they thought that their issues had not been taken seriously by the project sponsor.
- The PND memorandum issued in July of 2000, stated that they had not supplied any evidence that would support the facts on the impact to the environment.
- Although they don't have the evidence, they are aware of what the increase in density, parking and traffic means in an urban area when housing increases.
- 9th Avenue is a particularly busy thoroughfare since it serves as an alternate route to 7th and 19th Avenue.
- They were interested in speaking with SHARP yet SHARP was not very interested about their concerns.
- The latest plans show a much smaller building.
- They are not trying to block a development on a property owned by SHARP. They own the property and are allowed to develop as they wish. Yet the new design of the building still proposes a precedent which will impact future developments in the neighborhood.

**(-) Marylou Sheridan - Owner of 1737 8th Avenue**

- She has lived there since 1966. Her garden back up to the proposed project lot.
- She has a Monterey pine that she planted 25 years ago. She will lose the tree if construction is approved for the proposed development.
- The height of the proposed building is too large. This will shut out light from her home.
- The noise level, loss of privacy, loss of the tree, along with parking problems will make this less than livable for her.

**(+) Patricia Ray**

- She has lived 80 years in San Francisco and 42 years in the Sunset District. She believes it's time to move out of a large house and move into a small senior apartment.
- She believes that seniors need something like SHARP.
- This development is very good for senior citizens.

**(+) Erick McJohn - Project Sponsor**

- Is available for questions

**ACTION: Upheld Negative Declaration**

**AYES: Theoharis, Mills, Antenore, Joe, Martin, Chinchilla, Richardson**

**ABSENT: None**

**MOTION NO. 15919**

- 15a. 1999.040CV (WILSON: 558-6602)  
 1738 9TH AVENUE, east side between Moraga and Noriega Streets; Lots 31 and 32 in Assessor's Block 2041 - Request for a Conditional Use authorization to allow a child care facility, community facility and eight units of senior housing under Planning Code Sections 209.1(m), 209.3(f) and 209.4(a), within an RH-2 (House, Two-Family) District and a 40-X Height and Bulk District. *Preliminary Recommendation: Approval with conditions*  
 (Continued from Regular Meeting of April 6, 2000).

**SPEAKER(S):**

**(+) Erick McJohn - Lives at 1670 8th Avenue**

- He has lived in the inner sunset for 23 years.
- He is vice president of SHARP.
- SHARP is a 91 year old charitable and neighborhood organization. The boundaries of SHARP are: north is Lincoln Avenue, west is 19th Avenue, south is Riviera, and border with Forest Hill.
- In 1947 the organization purchased two buildings.
- In 1997 they remodeled in order to accommodate the displaced children from Lone Mountain



College.

- SHARP's revenues are derived from membership fees and from the revenue from the day care center.
- For about 10 years, SHARP has been working on a new building concept in order to: 1) continue with the Lone Mountain Day Care Center on the ground floor; 2) construct a community room where SHARP members can meet; and 3) add a new element which is 8 senior housing units. These units will be below market rates.
- This area is a transit rich area.

**(+) Beverly Pryer - Project Architect**

- She has been a long term inner sunset resident. She has also been an active person in the community.
- The goals of the project are for it to be a mixed-use, neighborhood-serving facility.
- The proposal is for a children's center, parking on the first floor, 8 units of senior housing on the second and third floors, a community room and senior social room on the 4th floor.
- The architectural goals are that it fit into the community in terms of its massing, be a good neighbor to adjacent properties by minimizing the impact on their light and air, provide a good quality of life for the seniors, children and community who use the facility.

**(+) Doris E. Lindfors - Lives at 1734 9th Avenue**

- She and her husband have lived there for 27 years.
- At first they were against the project because of the lack of parking but after much thought, they decided to support the project since housing for seniors is needed.
- The project is accessible by transit and has a grocery close by.
- It is very well run, especially the child care center.

**(+) John Barry - President of SHARP**

- Seniors are the most at risk for being able to find housing.
- This project will provide senior housing with out them worrying about Ellis Acts or being thrown out. SHARP has been around for 91 years. They're not going anywhere.
- Commissioner Antenore asked about the 4th Floor social room. This room is necessary because the seniors need a social center.
- They don't have any money coming to them from any federal or state grant. They are grateful to their forbearers for the fact that they bought the land--otherwise they couldn't afford to go through with this project.
- The 4th floor space is about 1/3 of the space below.
- They will be having some sort of methodology to choose people who will be living there. They haven't settled on a specific method.

**(+) Chool Eng Grosso**

- She resides on 7th Avenue
- Her first involvement with SHARP was when she was trying to save the open space at 7th and Lawton. The president of SHARP immediately paid for the rent of the facility and offered the free use of the SHARP facilities as long as they needed it.
- Ms. Grosso became interested in SHARP when she realized that elderly people need to be accompanied with other seniors and people to take care of them in case of an emergency. Another reason is because children should be able to be close to their grandparents.
- As a member of SHARP, she realizes that it's difficult to accommodate all of the neighbor's needs and issues. Some of the issues can be accommodated yet others can't.

**(+) Jaqueline Shorewal - Secretary of SHARP**

- During the 1989 earthquake, her and her husband came home and saw how everyone seemed lost.
- SHARP provided assistance and helped them with no obligation.
- SHARP is not some private club, it has an ideal and it works in that direction.



**(+) Brad Paul**

- He does not live in the Sunset but he found out about the project two years ago. He was attracted to the idea of combining affordable senior housing and child care in a location close to a number of MUNI lines.
- Many seniors as they get older cannot handle a large home. So it's nice to have a place for seniors to live and not have to maintain a full house.
- Having a place where people can socialize is an important issue since it gets harder and harder for seniors to go out.
- The fact that the project sponsors are trying to meet the inclusionary condition and make one of the units affordable is admirable. He volunteered to work with them to go to some of the foundations and organizations in the City to get some funding for what is a unique, model project. By doing this SHARP doesn't have to cover the loss of income for the inclusionary housing.

**(+) Jake McGoldrick**

- About 7 or 8 months ago, John Barry asked him to come and look at the site. SHARP has always been very generous for allowing members of the community to use their facilities.

**(+) John Bardin**

- Back in the 40s people in the neighborhoods were able to mobilize their resources and really create a community center with their own resources.
- The demolition moratorium which was pushed through the Board of Supervisors back about 12 years ago, was demolition of sound housing, was actually conceived and implemented through the meetings at the SHARP club house.
- He was the president of SHARP back in the early 70s.

**(+) Maryann Miller - member of the board of SPEAK**

- SPEAK is a neighborhood group in the same area as SHARP.
- The meeting room on the 4th floor is not that big.
- SPEAK is very interested always in reviewing projects for their design qualities. Because the project is well design and will fit into the neighborhood, every square inch that is there is needed.

**(+) Rebecca Silverberg**

- This is a very unique project. It's a project that contains multi generational services, community services and senior housing.
- She would like the Commission to support this project

**(+) Ramona Albright**

- She is a pro bono planning activist and has a good understanding of the enormity of the responsibilities the Commissioners have.
- Members of SHARP are sunset heights sensitive people. She worked with SHARP for years in the city-wide coalition for San Francisco neighborhoods as a delegate from Twin Peaks. The CSFM sponsored their current president, John Barry, to serve on the Commission for San Francisco's Environment. Mr. Barry also created the first recycling program in the City.
- CSFM members believe that Mr. Barry would not sponsor a project without merit.
- The project will provide improved child care, community meeting facilities and urgently-needed senior housing.
- The current SHARP center has always been community-serving and City-serving. The new facility will serve the residents of this City for generations to come.
- SHARP has tried for so long with repeatedly altered specifications to get the approval of the Department.

**(-) Dr. Dai To**

- She is a geriatrics psychology fellow at the Goldman Institute on Aging in San Francisco. She and her husband live next door to the proposed project.
- She has a lot of interest in this development. The development will have tremendous impact on her and her family on many levels.





- The subject of older adults is close to her heart. Not only is she sympathetic to the needs of seniors but also understands the difficulties and challenges this population faces living and growing older in San Francisco.
- Her opposition to the proposed project has never been anti-senior housing. The scope, the size and the density of the project is too much. The project has 8 units of senior housing but also a preschool space, and the addition of a community room. There are 3 distinct uses crammed into the middle of an already congested block. The scope of the project as a whole is not compatible with the neighborhood.
- Please consider their concerns and ask SHARP to downsize their project.
- There is no doubt that affordable housing is necessary for seniors but is this what this project will really provide? The proposed community room is seen as a benefit to the community, but is it really?
- Before judgement can be made about how necessary, beneficial, and how community-oriented this project is, the following must be considered: 1) SHARP is a neighborhood organization that denied membership to neighbors who tried to join this group; 2) a board member was excluded from their meetings because this person lives on the block and shared the concerns of the neighbors who opposed the project; 3) the same board has also said to concerned neighbors and to reporters that their members will have first priority to the housing units.
- SHARP has presented itself as a private club. Is this project really beneficial to seniors? Or is this a way to provide housing and a meeting room to the members of their private club.

**(-) Owen Pittman - Lives at 1734 9th Avenue**

- He agrees with everything Dr. Dai To said. He has been here for a long time.
- There are two things that bothers him: 1) the proposed site will attach itself to his building, there is an alleyway that will be blocked. In case of fire or emergency services it will be blocked. 2) the fact that a 4 story unit will block all of the stair wells from light. They will be living in a tomb.

ACTION:

**Intent to approve with the following conditions: staff to report on July 20, 2000 the following: 1) affordability component of the project; and 2) use of 4th floor meeting room.**

AYES:

**Theoharis, Mills, Antenore, Joe, Martin**

NAYES:

**Chinchilla and Richardson**

- 15b. 1999.040CV (WILSON: 558-6602)  
**1738 9TH AVENUE**, east side between Moraga and Noriega Streets; Lots 31 and 32 in Assessor's Block 2041 - Request for rear yard, off-street parking, and ground story street frontage variances under Planning Code Sections 136, 151 and 144, for construction of a new child care facility, community facility and eight unites of senior housing, within an RH-2 (House, Two-Family) District and a 40-X Height and Bulk District.

SPEAKER(S): **(same as those listed for item 15a)**

ACTION: **The Acting Zoning Administrator, Gerald Green, closed the public hearing**

16. 2000.426T (LORD: 558-6311)  
**LIQUOR STORE AMENDMENT** - Consideration of a proposal to amend the Planning Code (Zoning Ordinance) by amending each of the Neighborhood Commercial District zoning control tables in Article 7 to add a use category called "Liquor Store" and to make such stores either a permitted use, a conditional use, or not permitted and by adding Section 790.55 to define "Liquor Store". *Preliminary Recommendation: Approval Approve amendments and recommendation of adoption to the Board of Supervisors.*

SPEAKER(S):

**(-) Tod Priest - California Grocers Association**



- This association represents retail grocers
- He supports the measure of defining "liquor store" but he believes the definition is too broad.
- He met with Planning staff and their recommendation was for the Commission to go forward with the definition of a liquor store but try to figure out a way to craft it so that it is truly a liquor store. (e.g. Safeway is not a liquor store, they are a full-service grocery yet sell liquor).
- If this is moved forward to the BOS as presented, every retailer no matter what their size or what their business, whether they have a license 20 or 21, would be deemed a liquor store.

**(+) Ralf Mueller - Member of the Inner Sunset Merchants Association**

- He is in support of this proposal.

**(-) Dick Millet - Potrero Boosters Neighborhood Association**

- ABC is not very good about notification and help.
- When liquor stores have closed, Potrero Boosters have had to keep all the records because ABC keeps losing documents.
- To open a liquor store you have to have the police department's approval. Unless new owners are told to, they generally don't go to the neighborhoods to ask for approval.
- His neighborhood has very small commercial neighborhood districts -- liquor stores are located one next to the other.
- When they come into the neighborhood, there should be a requirement of giving special notification so that they have time in order to protest them.
- Maybe a conditional use should be decided on so that the neighborhood can be notified and respond.

**ACTION: Approved as recommended by staff.**

**AYES: Theoharis, Mills, Antenore, Joe, Chinchilla, Richardson**

**ABSENT: Martin**

**RESOLUTION NO. 15920**

**17. 2000.407ETZ (LORD: 558-6311)**

**INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT** - Consideration of a proposal to amend the Planning Code (Zoning Ordinance) by modifying the current NC-2 zoning controls in the vicinity of Irving Street between 5th Avenue and 19th Avenue to a new Inner Sunset Neighborhood Commercial District. The proposed changes to the existing NC-2 zoning include;

- map amendments to reclassify the following Assessor's Blocks and Lots from RH-2 zoning and include them as parts of the new Inner Sunset Neighborhood Commercial district. **Street Address (Assessor's Block/Lot)** - 723-727 Lincoln Way (1742/039), 719-723 Lincoln Way (1742/040), 1315 7th Avenue (1762/004), 1319-1321 7th Avenue (1762/005), City Property (parking lot just South of Irving between 8th & 9th Avenue) with no address (1763/044), and
- use controls intended to ameliorate conditions associated with the proliferation of commercial establishments in and about the Inner Sunset Neighborhood Commercial District.

**Preliminary Recommendation: Approval Approve amendments and recommendation of adoption to the Board of Supervisors.**

**SPEAKER(s):**

**(-) Chooi Eng Grosso - member of SHARP**

- She has heard the Planning staff 3 times. The first time at the Coalition of San Francisco Neighborhoods, the second time at the Land Use Committee Meeting and the third time at the SHARP monthly meeting. Staff spent a lot of time with them going through the changes.
- Her only problem with this is that the medical services on the first floor has been changed from permitted to not permitted and on the second floor it has been changed from permitted



to conditional. The concern is that they might be overwhelmed with medical services because they are so close to UCSF.

- She would suggest that they retain the first floor as permitted or conditional..

**(-) John Barry - President of SHARP**

- He lives 3 blocks away from the lots on 10th Avenue. He concurs that the lots have always been nothing but residential and should stay that way.

- He doesn't believe that these lots should be allowed to be commercial.

- If a person needs an ophthalmologist, it would be difficult for them to go up the stairs.

- He believes that the conditional use should be based on a case by case basis.

**(+) Rolf Mueller - Inner Sunset Merchants Association**

- His office is in the next block of the three buildings.

- There is no business going on in those buildings.

- He supports the proposal but would also like to include allowing a small self-service restaurant as a conditional use.

**(+) Maryann Miller - Board Member of Speak**

- She recommends that the west part of 19th to 26th Avenue be subject to similar controls. That area needs attention.

- 9th and Irving is a wonderful, thriving commercial district. Hopefully it won't take another 3 years. It hasn't suffered from those out-of-scale uses.

- One of the really good things about the proposal is that in the proposed district, there would be a use size for any use, permitted up to 2,500 or 2,499 square feet, then after that, it would be a conditional use. That way the neighbors don't have to fight everything.

- If medical services should be on the first floor, then the first floor should be a conditional use.

- The 3 lots on 10th and Irving, are rightly residential. They should be removed from the commercial district. A staff initiated zoning change might have to be requested.

**ACTION:** **Intent to Approve with the following amendments: 1) move the medical services category to a conditional use as opposed to a not permitted use; 2) move the self service restaurant to conditional use; and 3) initiate a proposal to rezone the three residential parcels on 10th Avenue from NCD to RH-2.**

**AYES:** **Theoharis, Mills, Antenore, Chinchilla, Joe, Richardson**

**ABSENT:** **Martin**

**RESOLUTION NO. 15921**

18. 1999.790C (CHIN: 575-6897)  
**1628 BALBOA STREET**, north side between 17th and 18th Avenue; Lot 023 in Assessor's Block 1560: -- Request for Conditional Use authorization pursuant to Section 710.39 of the Planning Code to demolish the existing single family dwelling over commercial and construct a new three family dwelling in an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District.  
*Preliminary Recommendation: Approval with conditions*  
 (Continued from Regular Meeting of July 6, 2000)

**SPEAKER(S):**

**(+) Sherrie Chow - Speaking on Behalf of the Owner**

- The current building does not have adequate provisions for it's occupant.

- There is strong support for residential occupancy.

- She has letters for support from adjacent property owners.

- This project is going to go through demolition and new construction.

**(-) Chase Staples -**

- There are misstatements of facts.



- The rental units will be renting higher than they are proposed.
- They have two types electrical wiring.
- What is written in the report is not true.

**(-) Peggy - Lives on Balboa Street**

- The current situation is that you can't park anywhere.

**(-) (name unknown) - Lives on Balboa Street**

- He has just graduated from college and people who are well off find it difficult to find affordable housing, even in Pacifica.
- His friend is handicapped and if evicted will have a hard time to find another place to live.

**(-) Barry**

- He lives at 1628 "A" Balboa Street but also uses his home as his office as well as meeting his clients there.
- There is not much office space available.

**(-) Jake**

- This is a conditional use. The 3 conditions read that it should be necessary and desirable for a conditional use.
- The issue here is affordability.
- Please deny this project.

**ACTION: Intent to Disapprove. Item Continued to July 20, 2000.**

**AYES: Theoharis, Mills, Antenore, Richardson**

**NAYES: Chinchilla, Joe**

**ABSENT: Martin**

19. 2000.582C (NIKITAS: 558-6306)  
 1844 BRODERICK STREET (aka 2889 California Street), southeast corner of California and Broderick Streets; Lot 021, in Assessor's Block 1028: -- Request for Conditional Use authorization pursuant to Section 209.6 of the Planning Code to install a total of three antennas and a base transceiver station on the existing Seventh Day Adventist Church as part of Sprint's wireless telecommunications network in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. *Preliminary Recommendation: Approval with conditions*  
**SPEAKER(S):**

**(+) Jennifer Estes - Representing Sprint PCS**

- Site meets the WTS design guidelines.

**(+) Mr. S.F. Patterson**

- On behalf of the Patterson foundation and on the behalf of the 7th Day Adventist Church, they approve of the installation of the antennas.
- He thanks the Commission for allowing him to take this opportunity.

**(-) Romy Cochran**

- She feels that they don't need any antennas there.
- She is against this installation.

**(-) Douglas Lorenger**

- He received mixed messages on the dateline.
- More time is needed about what is happening in the neighborhood since many of the people didn't know about it.

**(-) Michael Potter**

- Their daughter was diagnosed with cancer. There are certain people that are more sensitive to the microwave transmissions of these antennas.

**(-) David Berman**

- He doesn't agree with the location chosen for these antennas.

**(-) (first name unclear) Bercei**





- He wants to know more about the radiation of these antennas.

**(-) Virginia Harris**

- She is very concerned about the health aspects about the antenna.

**(-) Ted Brocus**

- Please postpone decision to allow others to speak.

**(-) Jannet Potter - Lives on Pine Street**

- Her husband spoke earlier about their daughter and the fight she has with cancer.
- They live right behind the church and will be subjected to the microwave transmission of these antennas.
- Please consider denying this Conditional Use permit.

**(-) Mark Longwood**

- He displayed a diagram illustrating the distance and power of cell phone antennas.
- An article in the Australian Journal of Medicine, indicated the harmful effects of radiation from antennas.

**ACTION: Case continued to August 17, 2000 in order to give Sprint the opportunity to continue discussions with neighbors. Public Comment will be closed.**

**AYES: Theoharis, Mills, Antenore, Joe, Richardson**

**NAYES: None**

**ABSENT: Martin, Chinchilla**

20. 2000.459B (WILSON: 558-6602)  
2801 LEAVENWORTH STREET (The Cannery), west side between Jefferson and Beach Streets; Lot 001 in Assessor's Block 0010 -Request under Planning Code Sections 320-325 (Office Development Limitation Program) for the conversion of 40,000 gross square feet of retail and restaurant space to office use, in the C-2 (Community Business) District and the 40-X Height and Bulk District. The project requires interior modifications only, and does not involve any changes to the building exterior. *Preliminary Recommendation: Approval with conditions*

**SPEAKER(S): None**

**ACTION: Approved**

**AYES: Theoharis, Mills, Antenore, Joe, Richardson**

**ABSENT: Martin, Chinchilla**

**MOTION NO. 15922**

- 21a. 2000.063CV (BRESSANUTTI: 575-6892)  
1638 KIRKWOOD AVENUE, north side between Phelps Street and Newhall Street; Lot 52 in Assessor's block 5279: Request for Conditional Use Authorization to allow a residential care facility for seven or more persons per Planning Code Section 209.3(c). The applicant, Jelani House, Inc., already operates a transitional living program for up to 27 women at this location, with substance abuse treatment services provided off-site elsewhere in the neighborhood. The proposal would add substance abuse treatment services by State-licensed personnel on-site at this location, and would set the maximum allowed number of residents at 24 (women and children). The live-in program would offer treatment and support for drug/alcohol dependent women and their children in a residential environment. Residents would live in the program for a period of 12 to 18 months. No building alterations are proposed. The property is in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
*Preliminary Recommendation: Approval with conditions*



(Continued from Regular Meeting of June 22, 2000)

**SPEAKER(S):**

**(+) Jim - Department of Public Health**

- This project was planned by the Department of Public Health.
- It offers treatment for women.

**(+) Sonia Brewster**

- She has been clean and sober for 8 years.

**(+) Anthony Davenport**

- There is a major commitment to make sure that the building is safe and clean.

**ACTION: Approved**

**AYES: Theoharis, Mills, Antenore, Joe, Richardson**

**NAYES: None**

**ABSENT: Martin, Chinchilla**

**MOTION NO. 15923**

- 21b. 2000.063CV (BRESSANUTTI: 575-6892)  
1638 KIRKWOOD AVENUE, north side between Phelps Street and Newhall Street; Lot 52 in Assessor's block 5279: The Zoning Administrator will conduct a joint hearing on a request for a Variance from the off-street parking spaces required for a proposed residential care facility with up to 39 residents. Planning Code Section 151 requires one off-street parking space for each 10 residents, where the number of residents exceeds nine. In this case, four off-street parking spaces would be required. There is no existing off-street parking at the property and none is proposed. The property is in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. (Continued from Regular Meeting of June 22, 2000)

**SPEAKER(S): (same as listed for item 21a)**

**ACTION: The acting Zoning Administrator, Gerald Green, closed the public hearing**

At Approximately **4:00 P.M.** the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

22. 2000.250D (MARTIN: 558-6616)  
1228 - 25th STREET, north side between Iowa and Indiana Streets, Lot 013A in Assessor's Block 4227 -- Request for Discretionary Review of BPA No. 9907691 and BPA No. 9907692, proposing to construct two buildings containing two live-work units each: Building A to be four stories and Building B to be three stories, in an M-2 (Heavy Industrial) District (Industrial Protection Zone) and a 50-X Height and Bulk District. The site is an odd-shaped (narrow and long) vacant lot. The project is set for a Mandatory Discretionary Review per City Planning Commission Resolution No. 14861.  
*Preliminary Recommendation: Take Discretionary Review and disapprove this proposal*  
(Continued from Regular Meeting of May 11, 2000)

**SPEAKER(S): None**

**ACTION: Project has been altered, which no longer requires a DR.**

Adjournment: 7:45 p.m.



THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, August 3, 2000.



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# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, July 20, 2000

1:30 PM

Regular Meeting

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**PRESENT:** Antenore, Joe, Mills, Theoharis, Richardson  
**ABSENT:** Martin, Chinchilla

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:33 P.M.

**STAFF IN ATTENDANCE:** Gerald G. Green - Director of Planning; Hillary Gitelman; Darwin Helmuth; Kenneth Chin; Isolde Wilson; Nora Priego - Transcription Secretary, Linda D. Avery - Commission Secretary

### A. ITEMS PROPOSED FOR CONTINUANCE

1. 2000.209C (MILLER: 558-6344)  
1470 PINE STREET, north side between Polk and Larkin Streets, Lot 7A in Assessor's Block 645 --Request for authorization of a CONDITIONAL USE for a FIBER-OPTIC TELEVISION and TELECOMMUNICATIONS CABLE EQUIPMENT INSTALLATION in an existing one-story building, in the Polk Street Neighborhood Commercial District and an 80-A Height and Bulk District.  
Preliminary Recommendation: Approval  
(Proposed for Continuance to July 27, 2000)  
  
SPEAKER(S): None  
ACTION: Continued to July 27, 2000  
AYES: Antenore, Joe, Theoharis, Mills, Richardson  
ABSENT: Martin, Chinchilla
2. 2000.269D (ZWIERZYCKI: 558-6263)





585 LAIDLEY STREET, south side between Castro and Roanoke Streets, Lot 025 in Assessor's Block 6727 - Request for Discretionary Review of building permit application No. 9923677 of proposal to construct a third-story addition on top of an existing two-story single-family residence in an RH-1 (House, One-Family) District and 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.

(Continued from Regular Meeting of June 8, 2000)

**Note: On May 18, 2000, following testimony, the Commission closed the public hearing and passed a motion of intent to take Discretionary Review and approve the project with design changes -- show new peaked roof design, add dormers to the rear, and setback building on the side of the DR requestor.**

**(Proposed for Continuance to August 3, 2000)**

SPEAKER(S): None

ACTION: Continued to August 3, 2000

AYES: Antenore, Joe, Theoharis, Mills, Richardson

ABSENT: Martin, Chinchilla

3. 1999.543DD (WOODS: 558-6315)  
338 - 12TH AVENUE, east side between Geary Boulevard and Clement Streets, Lot 33 in Assessor's Block 1443 -- Request for Discretionary Review of BPA No. 9901007S, proposing to add a new fourth floor, front, side, and rear additions to the existing single-unit building at the front of the property only in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as revised.

(Continued from Regular Meeting of June 8, 2000)

**Note: On June 8, 2000, following public testimony, the Commission closed public hearing and continued the matter to give Staff time to review permit history.**

**(Proposed for Continuance to August 10, 2000)**

SPEAKER(S): None

ACTION: Continued to August 10, 2000

AYES: Antenore, Joe, Theoharis, Mills, Richardson

ABSENT: Martin, Chinchilla

4. 2000.052E (JAROSLAWSKY: 558-5970)  
ARCO WAY - Appeal of a Preliminary Negative Declaration. The vacant project site is located on lots 024 through 028, lot 032, lots 037 through 039 and lot 051 located on block 3154 within the Outer Mission District of the City of San Francisco. The proposed project includes the rezoning of the ten legal lots from Public (P) to Residential House-One Family (RH-1) with a 40-X Height and Bulk Designation and the construction of one, single-family structure on each legal lot. Each structure would be approximately 2,000 square feet, contain a two-car garage and be a maximum of 30 feet in height. Nine lots would contain 25 feet of frontage along Arco Way and one lot would be a flag lot. The lots are along the northern side of Arco Way and range from 1,973 square feet to 9,900 square feet and abut the Bay Area Rapid Transit tracks to the north.

Preliminary Recommendation: Uphold pending

**(Proposed for continuance to August 10, 2000).**



SPEAKER(S): None  
ACTION: Continued to August 10, 2000  
AYES: Antenore, Joe, Theoharis, Mills, Richardson  
ABSENT: Martin, Chinchilla

5. 1999.639D (ARCE: 558-5986)  
265 TINGLEY STREET, on the south side of the intersection of Tingley Street and San Jose Avenue, Lot 048 in Assessor's Block 6781 -- Request for Discretionary Review of BPA No. 9505908S, proposing to construct a new single-family house on a vacant lot in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: No recommendation at this time.  
(Continued from Regular Meeting of June 1, 2000).  
**Note: On February 3, 2000, following public testimony, the Commission closed the public hearing and continued this matter to 2/17/00 with instructions to staff to explore and address traffic concerns.**  
**The vote was +7 -0.**  
**(Proposed for Continuance to ~~October 14, 2000~~ October 12, 2000)**

SPEAKER(S): None  
ACTION: Continued to October 12, 2000  
AYES: Antenore, Joe, Theoharis, Mills, Richardson  
ABSENT: Martin, Chinchilla

6. 2000.078G (KOMETANI: 558-6478)  
580 HOWARD STREET, north side between First and Second Streets. Lot 91 in Assessor's Block 3721 -- Request for approval under Planning Code Sections 1106 and 1107 to change the boundaries of the New Montgomery-Second Street Conservation District to include the subject property and to upgrade its Article 11 designation from "Category V, Unrated" to "Category IV, Contributory."  
(Continued from Regular Meeting of June 1, 2000)  
**WITHDRAWN**

SPEAKER(S): None  
ACTION: Project withdrawn  
AYES: Antenore, Joe, Theoharis, Mills, Richardson  
ABSENT: Martin, Chinchilla

## B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.



"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**Brett Gladstone**

*Re: Item No. 12 - 1628 Balboa Street*

- The case is a bit of mis-justice since Ms. Ng does not speak English very well and her friend did not represent her quite well during the hearing.
- His client is willing to provide \$5,000 to the affordable housing fund.

**Sue Hestor**

*Re: 580 Howard Street*

- This case was withdrawn by the project sponsor.
- This is a sensitive issue.
- This is a violation of the ADA.
- There has not been any discussion on how many projects have come through as other than office.

**Joe Butler - Architect**

*Re: 955 Green Street*

- A letter was sent to the Zoning Administrator and they would appreciate a prompt response from him

**Joe O'Donaughe**

*Re: Item 11 - Director's Report on whether or not the Commission has authority, under the Discretionary Review (DR) process to impose exactions such as affordable housing and transit impact fees.*

- Exactions need to be revisited, are they getting their bang for their dollar?
- Superfunds should be started based on a certain percentage of money imposed.
- District elections are coming up soon.
- Lake Merced has been totally neglected.

**C. COMMISSIONERS' QUESTIONS AND MATTERS**

7. Consideration of Adoption - draft minutes of 7/6/00.

**ACTION: Continued to July 27, 2000**

**AYES: Antenore, Joe, Theoharis, Mills, Richardson**

**ABSENT: Martin, Chinchilla**

8. Commission Matters

**Commissioner Antenore:**

He had raised an issue about allowing written comments to come in a few days after the oral testimonies for EIRs. This would give people an opportunity to hear the oral testimonies and still have time to submit further written comments. He was happy to see that this is actually the case in most instances and would like to see that it continue.

He would like to request a hearing to allow public comment on the



conversion of live/work units to office use. It has an impact on policies to a great extent. He would like to have this issue scheduled on a future hearing but not in August.

**Commissioner Theocharis:** *Re: 955 Green Street:* She would like a status report on this. Report on this next week (7/27/00).

#### D. DIRECTOR'S REPORT

9. Director's Announcements.

**Note: Director's report was given by Amit Gosh in Mr. Gerald Green's absence.**

- The BOS finalized the budget. At the end of the hearing there was nothing new added. Mr. Costolino Hogan of Planning Department staff is here and is available for questions.
- Mr. Larry McDonald was recognized by the Council of District Merchants Association.

**Costolino Hogan - Fiscal Officer of the Planning Department:** Nothing new was added to the budget. However, the 1430 Transcriber Typist position that was added to address Prop. G concerns was not retained in our budget. With this change, the budget was finally passed.

10. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

**BOS:**

- The Board upheld the CPC decision on 3995 Alemany Street by a vote of +7 -4. The project can now go ahead.

11. Staff report on whether or not the Commission has authority, under the Discretionary Review (DR) process to impose exactions such as affordable housing and transit impact fees. (Continued from Regular Meeting of June 22, 2000)

**Note: On June 22, 2000 following testimony, the Commission instructed that this matter be continued to 7/20/00 for further discussion which would allow the additional contribution of absent Commissioners and could ultimately lead to an action by the Commission. Commissioners Theocharis and Martin were absent. Staff was instructed to draft a resolution for the Commission's review and consideration which sets forth the Commissioners reasons for considering a policy to exercise their authority under the DR process and what the actual policy will be. Staff from Major Environmental Analysis Unit should be invited.**

**SPEAKER(S):**

**(-) Charles**

- What is the commission trying to accomplish with exactions?
- Builders would build with a 10 - 15% profit.

**(-) Joe Cassidy - Residential Builders**

- The Commission is picking on one entity.

**(-) Gary Gee - Gee Architects**

- He is here to oppose the exactions

**(-) Debra Stein - CGA**

- There has not been sufficient circulation on the staff report.
- Would like for this matter to be continued.

**(-) Lou Bravado - General Contractor**





- Exactions are not convenient.
- (-) **Calvin Welch**
  - There is no requirement for using the City-wide affordable housing fund. Mr. O'Donaghue can bid any time he sees fit.
  - We need a clear understanding of this.
  - Nothing that is being complained about is being proposed.
- (-) **Amos McCarthy**
  - Extractions will be passed to the homeowner
- (-) **Dick Millet - Potrero Boosters Neighborhood Association**
  - The loft builders and the dot.com builders have to contribute
- (-) **Alice Barkley**
  - This should be postponed to another time.
  - All this debate has turned out to be a debate between contractors and non-profits.
  - Exactions are not necessary
  - There are other avenues which can be taken.
- (-) **Joe O'Donaghue**
  - The 1978 EIR recommended that builders in the South of Market Area be limited.
  - Now everyone is confused.
- (-) **Matt Burton**
  - He is for affordable housing
  - There is no reason why the best cannot compete with the best
- (-) **Debra Walker**
  - For the past 5 years, she has come forward to the Commission to speak about live/work. There are zero affordable live/work developments.
  - Affordable housing can be built
  - The Commission is perpetuating profit.
- (-) **Sue Hestor**
  - She is glad that Residential Builders can build for a certain amount per square foot.
  - There has been inclusionary policies for many years
  - There is a need for a nexus study to call live/work housing.
- (-) **John O'Donaghue**
  - A lot of the loft bidders are for rent and are not for sale.

**Commissioner Mills:** Disappointed that staff did not provide the professional information requested. Would like to know if this policy is necessary.

**Commissioner Richardson:** Would like this item to be postponed so that the public can understand this issue completely, and to allow the Redevelopment Agency and the Mayor's Office of Housing to participate.

**Commissioner Antenore:** From the 80s the department has a long standing history and last year, this Commission requested a nexus study.

**Commissioner Joe:** Exactions are very conservative.

**Commissioner Theoharis:** She does not endorse the Commission imposing exactions on a case by case basis.

**Amit Gosh:** Staff will go back to Director to request a hearing date.



**E. CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED**

12. 1999.790C (CHIN: 575-6897)  
1628 BALBOA STREET, north side between 17th and 18th Avenue; Lot 023 in Assessor's Block 1560: -- Request for Conditional Use authorization pursuant to Section 710.39 of the Planning Code to demolish the existing single family dwelling over commercial and construct a new three family dwelling in an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of July 13, 2000)

**Note: On July 13, 2000, following public testimony, the Commission closed public hearing and passed a motion of intent to disapprove by a vote of +4 -2. Commissioners Joe and Chinchilla voted no. Commissioner Martin was absent. Final Language 7/20/00.**

SPEAKER(S): None

ACTION: Disapproved

AYES: Antenore, Theoharis, Mills, Richardson

NAYES: Joe

ABSENT: Martin, Chinchilla

MOTION No. 15924

13. 1999.040CV (WILSON: 558-6602)  
1738 9TH AVENUE, east side between Moraga and Noriega Streets; Lots 31 and 32 in Assessor's Block 2041 - Request for a Conditional Use authorization to allow a child care facility, community facility and eight units of senior housing under Planning Code Sections 209.1(m), 209.3(f) and 209.4(a), within an RH-2 (House, Two-Family) District and a 40-X Height and Bulk District. *Preliminary Recommendation: Approval with conditions*

(Continued from Regular Meeting of July 13, 2000).

**Note: On July 13, 2000, following public testimony, the Commission closed public hearing and passed a motion of intent to approve with conditions that address the affordability component and the use of the meeting room by a vote of +4 -2. Commissioners Chinchilla and Richardson voted no. Commissioner Martin was absent.**

SPEAKER(S): None

ACTION: Approved with the following amendments: 1) strike the limitation of one event per week in the social room; 2) Child care hours of operation will be 8:00 a.m. to 6:30 p.m.; 3) written pick-up/drop-off program must be submitted prior to occupancy of the child care facility.

AYES: Antenore, Joe, Theoharis, Mills, Richardson

ABSENT: Martin, Chinchilla

MOTION No. 15925

**F. REGULAR CALENDAR**

14. 97.433E (COOPER: 558-5974)



22-30 ALTA STREET. Certification of a Final Environmental Impact Report. The proposed project would be the construction of a new residential building at 22-30 Alta Street, north side, between Sansome and Montgomery Streets (Assessor's Block 106, Lot 34A). The project site is located on a steeply sloped parcel adjacent to the Filbert Steps and Grace Marchant Garden. **Please note: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on December 22, 1998. The Planning Commission does not conduct public review of Final EIRs. Public Comments on the certification may be presented to the Planning Commission during the Public Comment portion of the Commission calendar.**

Preliminary Recommendation: Certify Environmental Impact Report

SPEAKER(S): **None**

ACTION: **Without Hearing. Continued to August 10, 2000.**

AYES: **Antenore, Joe, Theoharis, Mills, Richardson**

ABSENT: **Martin, Chinchilla**

15. 1999.401E (HELMUTH: 558-5971)  
450 RHODE ISLAND STREET DEVELOPMENT PROJECT - Public Hearing on Draft Environmental Impact Report. Assessor's Block 3978, Lot 001, bounded by 17th, Rhode Island, Kansas and Mariposa Streets, and is in an M-1 (Light Industrial) zoning district, Industrial Protection Zone (IPZ), and in a 40-X Height and Bulk District. The proposed project would involve the demolition of the existing one-story steel frame automobile repair building and the construction of a four-story building ranging in height from 16 to 49 feet and containing approximately 314,000 square feet of multimedia space and 567 off-street parking spaces and 26 bicycle spaces. The project would also include three off-street freight loading spaces.

Preliminary Recommendation: No action required

SPEAKER(S):

(-) **Debra Walker**

- There is no inclusion of the socio-economic impacts on the surrounding area.
- She works in the northeast Mission area.
- The affects on the neighborhood are significant.
- A garment factory and a Laundromat have been displaced.
- Ask staff to include the socio-economic affects of this project.

(-) **Dick Millet - Potrero Boosters Neighborhood Association**

- Mr. Kaufman came for support.
- Showplace square is starting to rent to dot.coms.

(-) **Joe Bo**

- Lives in the dog patch area of Potrero Hill.
- We have about 1,000 live/works on Potrero Hill.
- The EIR does not examine the cumulative effect on the entire area.

(-) **Babbet Drefkie**

- Lives a few blocks away from this development.
- First the area needs rat abatement
- She asked on a master plan of multimedia companies and nothing has been provided to her. - This project will provide a water shortage and sewers will be at over capacity.
- Some planning needs to be done regarding this overload.
- No residential parking has been provided from the City. Parking is out of hand.

(+) **Alister McTaggart**

- He lives near this project.
- We need these type of projects. We need to renovate older buildings.



**(-) Calvin Welsh - Council for Community Housing Association**

- The information technology has produced a revolution.
- This EIR is the thinnest EIR of any project.
- This EIR is misleading.
- There are significant differences not discussed in any of the issues.
- The EIR is insufficient because of it's incompleteness.

**(-) Sue Hestor**

- There should have been an analysis made.
- The transportation analysis doesn't talk about how the traffic will move around that area.
- This project is similar to Bryant Square.

**(-) Doug Comstock**

- The EIR should be returned for proper corrections.

**ACTION: Public Hearing Closed. Meeting Held. No Action Required.**

**Note: The comment period will close - COB, July 25, 2000.**

**ABSENT: Martin, Chinchilla**

16. (BARHAM: 558-6252)

TRANSIT IMPACT DEVELOPMENT FEE PROGRAM STUDY CONTRACT. Approval of a resolution authorizing the Director of Planning to enter into a contract with Nelson\Nygaard Consulting Associates to expend funds not to exceed \$100,000 to complete a nexus study to determine if the current Transit Impact Development Fee should be expanded to cover land uses in addition to office and geographic areas in addition to downtown.  
Preliminary Recommendation: Approval

**SPEAKER(S): None**

**ACTION: Approved**

**AYES: Antenore, Joe, Theoharis, Mills, Richardson**

**ABSENT: Martin, Chinchilla**

**RESOLUTION NO. 15926**

17. 2000.704R (RICH: 558-6345)

GENERAL PLAN REFERRAL FOR MUNI OCEAN AVENUE STREETSCAPE PROJECT. Request for finding of Muni Ocean Avenue Streetscape Improvement Project, from Junipero Serra Boulevard to I-280, including replacement of trackway, under grounding of utilities and implementation of new sidewalk bulbs, decorative streetlights and street trees in conformity with the General Plan.

Preliminary Recommendation: Finding of conformity

**SPEAKER(S):**

**(+) Bettie Landis - Resident of Ingleside**

- She supports the findings for this project.
- The cars speeding through there is unbelievable.
- This is long overdue and will help revitalize the area.

**(+) Steve Currier**

- He supports this project wholeheartedly.
- He does a lot of business on Ocean Avenue.
- This will be a real asset.

**ACTION: Approved**

**AYES: Antenore, Joe, Theoharis, Mills, Richardson**





ABSENT: **Martin, Chinchilla**  
RESOLUTION NO. **15927**

18. 2000.295C (LeBLANC: 558-6351)  
222 COLUMBUS AVENUE, a triangular lot at the intersection of Kearny Street and Pacific Avenue; Lot 003 in Assessor's Block 0162 -- Request for Conditional Use authorization to install a wireless telecommunications facility consisting of eight panel antennas on the roof and four on the facade of an existing 4-story, approximately 60-foot high commercial building plus base station equipment in the basement of the building in the Broadway Neighborhood Commercial District, the Washington-Broadway Special Use District #1 and a 65-A-1 Height and Bulk District.  
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) **Moley Gills**

- The need for this site is based on the current Nob Hill site which is at capacity and located at 1250 Jones. There have been a number of dropped calls and poor system complaints from customers in the North Beach area.
- This site would solve this problem and also help increase in-building coverage in the area, especially along both the Columbus and Broadway corridors.

ACTION: **Approved**

AYES: **Antenore, Joe, Theoharis, Mills, Richardson**

ABSENT: **Martin, Chinchilla**

MOTION No. **15928**

19. 2000.576C (NIKITAS: 558-6306)  
389 NINTH AVENUE (A.K.A. 378 TENTH AVENUE), northwest corner of Geary Boulevard and Ninth Avenue; Lot 035, in Assessor's Block 1441: -- Request for Conditional Use authorization pursuant to Section 712.83 of the *Planning Code* to install a total of sixteen antennas and a base transceiver station on the existing Pacific Bell Switch Building as part of Metricom's wireless data transmissions network in an NC-3 (Neighborhood Commercial, Moderate Scale) District and a 40-X Height and Bulk District. The proposal is to face-mount all sixteen antennas on three walls each of two existing penthouses. The base transceiver station would be located on an existing roof pad on the second level of the building, opposite the on-site parking lot.

Preliminary Recommendation: Approval with conditions

SPEAKER(S):

**Robert McCarthy - Representing Project Sponsor - Metricom**

- Metricom is the operator of the ricochet system (wireless Internet service).
- This is a preference 1 site.
- There was a community outreach meetings and only one person came. They believe that they satisfied the concerns of this person.
- There was one call from Ms. Carmel Tickler at Star of the Sea School who expressed some concerns. References were provided to her.
- Metricom is a provider of the public library. Ms. Wilinsky and others from the library have sent letters praising Metricom because they provide wireless Internet connection--they use it in the book mobile which is used to do outreach to children and seniors.
- This is an important site.



ACTION: **Approved**  
AYES: **Antenore, Joe, Mills, Richardson**  
ABSENT: **Mills, Chinchilla, Theoharis**  
MOTION No.: **15929**

#### G. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **4:11 P.M.** the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

20. 1999.738D (CHIN: 575-6897)  
2131 DIVISADERO STREET, west side between Clay and Sacramento Streets, Lot 004 in Assessor's Block 1004 -- Request for Discretionary Review of BPA No. 9914768, proposing to raise a portion of the roof to match existing roof at the rear of a three-story, two dwelling unit building in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and approve building permit application with conditions.  
(Continued from Regular Meeting of April 27, 2000)

SPEAKER(S):

**(-) Linda Clodine - DR Requestor**

- They are considering withdrawing the DR.
- She would like the privacy wall to the west to extend 8 feet (it is currently 3 feet) and the fire escape to be installed on the opposite side.

**(-) Eian Burke - Pacific Heights Residents Association**

- There is an important issue in this case. There has been misrepresentation, either deliberate or inadvertently in regards to the drawings. The Commission has never punished this kind of behavior.
- The building inspector doesn't always catch mistakes.
- The commission should listen to the request for extending this privacy wall 8 feet.
- In regards to the fire escape, he doesn't have a position on this.

**(+) Mike Gonzalez - Project Sponsor**

- He agrees to the DR request of extending the privacy wall to 8 feet.
- The location of the fire escape will have to remain there because there isn't a more appropriate location.

ACTION: **Discretionary Review was not taken. The project was approved as submitted.**

AYES: **Antenore, Joe, Mills, Richardson**

ABSENT: **Martin, Chinchilla, Theoharis**

Adjournment: 4:30 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, August 10, 2000**



# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, July 27, 2000

1:30 PM

Regular Meeting

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**PRESENT:** Antenore, Joe, Mills, Richardson  
**ABSENT:** Martin, Chinchilla, Theoharis

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT MILLS AT 1:40 P.M.

**STAFF IN ATTENDANCE:** Gerald G. Green - Director of Planning; Larry Badiner, Zoning Administrator; Isolde Wilson; Judy Martin; Nora Priego - Transcription Secretary; Linda D. Avery - Commission Secretary

### A. ITEMS PROPOSED FOR CONTINUANCE

1. 1999.821E (WYCKO: 558-5972)  
166-178 TOWNSEND STREET, Lot 12 of Assessor's Block 3788 on the north side of Townsend Street between Second and Third Streets at northeast corner of Townsend Street and Clarence Place - Appeal of Preliminary Negative Declaration for the proposed renovation and expansion of existing contributory building in the South End Historic District. The proposed project would convert a former auto repair garage to 24,999 square feet of office space and 25,0001 square feet of business service/multimedia space, with 18 independently accessible or up to 35 valet parking spaces. An exception to San Francisco Planning Code parking requirements would be sought under sections 161(M and 307(g). The rear interior of the existing structure would be new construction and would include replacement of the existing peaked roof, which has an average height of 42 feet, with a flat roof at a height of 50 feet. The interior of the front portion of the existing structure would be reconfigured but its exterior dimensions and roof height would be unchanged. The proposed site is located in a Service/Light Industrial (SLI) District.  
*Preliminary Recommendation: Pending*  
(Proposed for Continuance to September 7, 2000)



SPEAKER(S): **None**  
ACTION: **Continued to September 7, 2000**  
AYES: **Antenore, Joe, Mills, Richardson**  
ABSENT: **Martin, Theoharis, Chinchilla**

2. 2000.286E (JAROSLAWSKY: 558-5970)  
**925 BRYANT STREET, Appeal of a Preliminary Negative Declaration.** The project site is located on Block 3780, Lot 077, within the western portion of the block, contains approximately 20,000 square feet and is within an IPZ (Industrial Protection Zone), a SLI (Service/Light Industrial) District and a 40-X Height and Bulk District. The site contains 75 feet of frontage along Bryant Street to the west and 265 feet of frontage along Langton Street to the north. The proposal includes the conversion of approximately 13,000 square feet of an existing office/retail/warehouse structure into retail/business service use and the addition of approximately 26,000 square feet of new floor area. The footprint of the structure would remain the same. The addition of two floors would result in a total of three stories. The resulting building would be approximately 40 feet in height, contain approximately 39,000 square feet and would contain 37 on-site parking spaces accessed from Langton Street.  
*Preliminary Recommendation: Uphold Preliminary Negative Declaration*  
**(Proposed for Continuance to August 10, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued to August 10, 2000**  
AYES: **Antenore, Joe, Mills, Richardson**  
ABSENT: **Martin, Theoharis, Chinchilla**

3. 2000.209C (MILLER: 558-6344)  
**1470 PINE STREET**, north side between Polk and Larkin Streets, Lot 7A in Assessor's Block 645 --Request for authorization of a **CONDITIONAL USE** for a **FIBER-OPTIC TELEVISION and TELECOMMUNICATIONS CABLE EQUIPMENT INSTALLATION** in an existing one-story building, in the Polk Street Neighborhood Commercial District and an 80-A Height and Bulk District.  
*Preliminary Recommendation: Approval*  
(Continued from Regular Meeting of July 20, 2000)  
**(Proposed for Continuance to August 10, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued to August 10, 2000**  
AYES: **Antenore, Joe, Mills, Richardson**  
ABSENT: **Martin, Theoharis, Chinchilla**

4. 1999.668BX (MILLER: 558-6344)  
**38-44 TEHAMA STREET** (also known as 543 Howard Street), north side of Howard Street between First and Second Streets, Lot 111 in Assessor's Block 3736 -- Request for Determination of Compliance pursuant to Section 309 with respect to a proposal (1) to renovate the existing building interior, including remodeling the foyer, adding three elevators and adding two new stairwells; (2) construct a third and fourth level atop the building to a new height of 64 feet along Tehama Street; and (3) convert up to 49,950 square feet on the first, mezzanine, second, third and fourth floors of the building to office use. The entrance to the





office space would be on Howard street. Approximately 24,000 square feet of existing non-office space in the basement and in the rear of the first floor and first floor mezzanine would be retained. The entrance to the non-office space would be on Tehama Street. There is no parking on this site and none is proposed. The project is within a C-3-O (SD) (Downtown Office-Special Development) District and 200-X / 350-S Height and Bulk Districts. (Continued from Regular Meeting of July 6, 2000)

**(Proposed for Continuance to August 10, 2000 August 17, 2000)**

SPEAKER(S): **None**

ACTION: **Continued to August 17, 2000**

AYES: **Antenore, Joe, Mills, Richardson**

ABSENT: **Martin, Theoharis, Chinchilla**

5. 1999.668B X (MILLER: 558-6344)  
38-44 TEHAMA STREET, (also known as 543 Howard Street), north side of Howard Street between First and Second Streets, Lot 111 in Assessor's Block 3736 -- Request under Planning Code Sections 320-322 (Office Development Limitation Program) to allow the creation of up to 49,950 square feet of office space in an existing industrially-occupied building of approximately 49,000 square feet proposed for expansion to approximately 73,000 square feet. Approximately 24,000 square feet of existing non-office space would be retained. The project is within a C-3-O (SD) (Downtown Office-Special Development) District and 200-X / 350-S Height and Bulk Districts. (Continued from Regular Meeting of July 6, 2000)  
**(Proposed for Continuance to August 10, 2000 August 17, 2000)**

SPEAKER(S): **None**

ACTION: **Continued to August 17, 2000**

AYES: **Antenore, Joe, Mills, Richardson**

ABSENT: **Martin, Theoharis, Chinchilla**

6. 2000.496D (MEHRA: 558-6257)  
419-35TH AVENUE, Lot 004 in Assessor's Block 1467 - Request for Discretionary Review of Building Permit Application number 20000127454, proposing to construct a 19 foot deep, two-story addition at the rear of the existing single-family dwelling house and to expand the existing garage at the front of the property to accommodate two vehicles. A roof deck is proposed above the expanded garage in a RH-2 (Residential, House, Two-Family) and a 40-X Height and Bulk District.  
*Preliminary Recommendation: Pending*  
**(Proposed for Continuance to August 24, 2000)**

SPEAKER(S): **None**

ACTION: **Continued to August 24, 2000**

AYES: **Antenore, Joe, Mills, Richardson**

ABSENT: **Martin, Theoharis, Chinchilla**

## B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a



public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**Sue Hestor:**

- handed out copies of letters issued by the ZA that interpret that offices are not offices....
- She would like the Commission to be informed on these items and requests that the Commission ask staff to give reports on what is happening.

**C. COMMISSIONERS' QUESTIONS AND MATTERS**

7. Consideration of Adoption - draft minutes of 7/6/00.

ACTION:           **Approved**  
AYES:           **Antenore, Joe, Mills, Richardson**  
ABSENT:       **Martin, Theoharis, Chinchilla**

8. Commission Matters

**Commissioner Richardson:** Requested a joint staff presentation by our staff and Redevelopment Agency staff on housing. The presentation should identify obstacles to producing housing, what are future planning efforts, what we should be doing, etc. During this presentation, she would like to have reconciled the population data and some of the figures presented today.

**D. DIRECTOR'S REPORT**

9. Director's Announcements.

*Jobs Housing Linkage Legislation*

- The department is targeting September 14 or September 24 for Commissioners to decide on legislation.

*There are a few items on the action list that need to be clarified:*

- Commissioner Chinchilla and Theoharis requested information on the modification of building permits plans after a decision by the Commission has been made--coordination with the Building Department and the Planning Department is of issue. With the assistance of the Building Department, an informational presentation will be scheduled for August 3.

- Commissioner Antenore requested information on the impact of the conversion of live/work.



With the help of the ZA, an informational presentation will be scheduled for September 7.

- Commissioner Theoharis requested information on the status report on 955 Green Street. Staff will be prepared to make a presentation on August 3. Staff is somewhat limited on the information because of a lawsuit against the City.

- Ms. Isolda Wilson has been assigned to assist the ZA and the Director. She has already shown her ability to take on this position in special assignments.

10. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

**BOS:**

- Transportation and Land Use Committee Meeting: 1) Castro Street Neighborhood Commercial District Amendments were passed; 2) Mechanical parking devices were proposed to accommodate greater parking on a site for residential areas in order to meet the Planning Code requirements. Supervisor Yaki has sponsored this legislation.

**BOA:**

- *1363 Palou Avenue* - On April 6, 2000, this case was heard by the Commission. The Commission took DR and disapproved the building permit--there was a potential for a second unit. The Board also had those concerns and suggested that the project sponsor redesign the project. The case will go back to the Board on August 30.

- *309 Mississippi Street* - On December 2, 1999, the Commission did not take DR and approved the project as submitted. The BOA upheld the Commission's decision with a vote of +5-0.

- *2355 Vallejo Street* - On December 9, 1999, this case was heard by the Commission. The Commission approved the project. The board upheld the Commission's decision by a vote of +5-0.

11. (GITELMAN: 558-5977)

Status Report on Proposed Legislation to Update Chapter 31 of the San Francisco Administrative Code.

**SPEAKER(S):**

**Sue Hestor:**

- She doesn't agree with the way this case was put on the calendar. Did not feel that the calendar language was not sufficient to inform those that might have been interested about the components of the proposed legislation. Everyone involved with the Planning Commission were not made aware and therefore could not be involved.

- Proposed \$1,000 fee is too much.

- \$400 is the fee to appeal a ZA determination.

- The Commission needs to make decisions for themselves and not let staff influence it.

**Bernard Choden**

- He is amazed by the egregious aspects of the barrier to administrative justice. This is an illegal process.

**Ralph House - Bay View Hill Neighborhood Association**

- He read in the newspaper about the fee proposed for an environmental report.

- At the same time he read the article, he was getting ready to file a Negative Declaration.

- The Commission should give serious consideration to this and realize that the people that will be concerned and affected by the decisions made by the Commission cannot afford the



\$1,000 fee.

**Eric Quesada - Mission Anti-Displacement Coalition**

- The community does not feel that they are being heard by the Commission, BOS and City Hall in general.
- This makes the public not believe in the public officials.
- \$1,000 is insulting to the community.
- The community is aware of this and is uniting to protest and have their voices heard.

**John Bardis**

- As commissioners, you are representatives of people and not the administration in reviewing how policies are being implemented.
- The last thing that the public would expect from representatives of the people is what was provided to the public -- a simple one page notice which does not state anything constructive.
- An appeal is a process by which the commission has an opportunity to hear from the public on various items.
- The people should not be penalized by being asked to pay such a high amount of money.

**Jake McGoldrick**

- The Commission, as public officials, should have the mentality of "causing no harm."
- Allow the public access to those who make decisions.
- The need from the public to get public officials to protect them is very important.
- What kind of data is presented here? How many cases are heard?
- The case deserves double scrutiny.
- Please do not increase the fee.

**Commissioner Antenore:** Disappointed with the way this item was put on the agenda. He will state his individual protest and forward it via letter to the Board of Supervisors Committee and urges fellow Commissioners to do the same.

**E. CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED**

12. 2000.238DDD (MEHRA: 558-6257)  
117 PARKER AVENUE, west side between Euclid Avenue and Geary Boulevard, Lot 003 in Assessor's Block 1064 -- Request for Discretionary Review of BPA Nos. 9912789 & 9912791, proposing to demolish the existing single-family dwelling and the construction of a new two-story over garage two-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

*Preliminary Recommendation: Do not take Discretionary Review and approve the building permit applications as revised.*

**Note: On June 8, 2000, following public testimony the Commission closed the public hearing.\* Matter was continued to July 27, 2000 to get input from DBI to determine if the current structure is sound. Staff will work with Mr. Pantaleoni, project architect, to improve facade and make it more compatible with the neighborhood.**

**\*(Public testimony will be open only to discuss any new design features submitted from the project architect).**

**SPEAKER(S):**

**(-) Sylvia Meliquian:**

- She appreciates the effort of the architect. The new design now jets out further than the original design and outside of the context of the surrounding houses. The height has also been significantly increased. The floor heights could be reduced slightly and keep it as a high quality rental unit while reducing the overall building height. The off street parking has been





eliminated due to the configuration of the entrance and garage. She would like this to be reconsidered since parking in San Francisco is very difficult.

**(-) K. Rose Hillson:**

- She appreciates the fact that the new facade is a Victorian facade.
- Yet it is still too high.
- At the previous hearing, the DR requestors were not able to comment on the facade since they mostly spoke about the soundness of the current building.
- She would like the garage to be made smaller.
- She would like commissioners to re-consider the design of the facade.

**(+) Hahn Phan - Reuben & Alter - representing project sponsor**

- At the previous hearing, the Commission narrowed down the case to two issues 1) the DBI report 2) facade.
- DBI determined that the current building was unsafe and that the cost of renovation would exceed 50% of new construction. This information is consistent with the engineer's report which was originally submitted. It is uneconomic and unreasonable to keep the building "as is."
- Regarding the design issue, the project architect developed a scheme that saves the Victorian facade. The architect eliminated bay windows.

**(+) Tony Panteleoni**

- After meeting on June 9, he went to measure the existing house.
- He tried to look at the opportunity to extend the rear of the building and still provide 2 units behind it.
- He looked at adding square footage to the rear of the building.
- Because of the requirements of providing sunlight to various rooms of the house, various light wells had to be designed, which in turn makes the rooms a lot smaller.
- He is trying to preserve as much of the existing facade as possible.
- The size of the garage would be the smallest he can go.
- The size of the peaked roof can go smaller.

**ACTION: Take DR and require: 1) height of peaked roof be lowered to 32 feet; 2) lower one level to 9 feet.**

**AYES: Antenore, Joe, Mills, Richardson**

**ABSENT: Martin, Theoharis, Chinchilla**

13. 1999.684D (WILSON: 558-6602)  
129 RANDALL STREET, south side between Whitney and Chenery Streets, Lot 038 in Assessor's Block 6663 -- Request for Discretionary Review of BPA No. 9911578, proposing to demolish the existing building and construct a new two-unit building in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review, approve project.

**Prior Action: Public comment was closed at the February 17, 2000 hearing. The Commission continued the item to allow further discussion between the project sponsor and neighbors.**

(Continued from Regular Meeting of June 15, 2000).

**Note: On June 15, 2000, the Commission passed the following motions:**

**1st Motion: Take Discretionary Review with the following changes: 1) set back 8 feet further on the 4th floor; 2) project sponsor to continue to work with staff on architectural detailing of the facade with specific reference to the skylight on the 3rd floor. Vote of +2 -2. Commissioners Antenore and Joe voted no. Commissioners Theoharis, Martin and Mills were absent.**



**2nd Motion:** Take Discretionary Review with the following changes: 1) remove 4th floor 2) modify the front facade to fit into the character of the neighborhood. Vote +2 -2. Commissioners Chinchilla and Richardson voted no. Commissioners Theoharis, Martin and Mills were absent.

**3rd Motion:** Continue to July 27, 2000 until there is a full commission - Public Hearing will be closed. Vote +4 -0. Commissioners Theoharis, Martin and Mills were absent.

SPEAKER(S): None

ACTION: Continued to August 3, 2000

AYES: Antenore, Joe, Mills, Richardson

ABSENT: Martin, Theoharis, Chinchilla

## F. REGULAR CALENDAR

14.

(GHOSH: 558-6275)

**DISCUSSION OF HOUSING ISSUES INCLUDING OAHPP**, an **informational presentation** on the Residence Element of the General Plan's approach to assessing housing need, the relationship between job growth and housing need, and the status of the current Office Affordable Housing Production Program (OAHPP) and how it is addressing this housing need

SPEAKER(S):

**Marsha Rosen - Director of the Mayor's Office of Housing (MOH):**

- They work with the planning department and at the Mayors request, she convenes an inter-agency and community affordable housing planning process which the planning staff participates in.
- There are parallel requirements between the Commission's responsibility to produce affordable housing under the housing element of the General Plan and the Federal responsibility to produce a 5 year plan called the Consolidated Plan of Housing Needs and a 1 year action plan.
- They program close to \$100 million dollars a year for affordable housing development between the Redevelopment Agency and MOH. They use a variety of Federal and local funds. The local funds include part of the hotel tax and Proposition A. The Redevelopment Agency sets aside between 40 and 50% of all tax increment funds available. MOH administers the Federal Community Development Block Grant Program, The Home Investment Partnership Act Program, portion of the Kenney Homeless Act Program, The Housing Opportunity for Persons with AIDS, etc. All of the units are targeted to low and extremely low income households.
- MOH will always need more resources and they always need better ways to coordinate amongst agencies.
- Now that MOH is aware of a new influx of money, they will be preparing another notice of funding availability of housing/rental housing so that those dollars can go out into the field and build housing as intended.
- No matter what is done on new growth, they still have to aggressively try to meet a huge backlog. Otherwise, they won't be able to meet their goals.

**Joe LaTorre:**

- MOH does annual housing monitoring. Currently there are about 140 units (mostly home-ownership but there are about 20 or 30 rental units). This does not include developments which are under construction, or still in the marketing stage.
- Within a year or two the 140 units will probably reach 300.

**Bernard Choden**

- He has been a proprietor of the housing systems program since he helped develop it for Jerry Brown.
- This is a contract; these are administrative policies intended to be preformed.

**Lloyd Schloegle**



- The Residence Element has been revised. Policy statements 1 and 2 under the heading of "Supply of New Housing" suggests promoting affordable housing on surplus, under-used and vacant public lands as well as facilitate the conversion of under-used commercial and industrial areas to residential use giving preference to affordable housing uses. Some of the proposals under the guidelines are foolish -- for example: near freeways, by light rail tracks, and useful downtown parking lots. Some of these places are unsuitable for housing developments.

**Jake McGoldrick**

- The right questions need to be asked.
- We shouldn't constrain ourselves in regards to affordable housing.
- Oakland is the natural place for jobs to go.
- Mayor Brown of Oakland is dying to see more development on housing.

**Sue Hestor**

- The Commission is part of the problem as well as the solution.
- The IPZ hasn't been rezoned.
- The actions of the Commissioners have consequences.
- There is a 1997 nexus which has not been implemented.
- The Commissioners are responsible and their votes will decide.

**John Bardis**

- Would like to have literature on the presentation which could be available to the public.
- Agrees with the idea of having a joint hearing with Planning, Redevelopment and MOH.
- Staff should look at the process by which ABAG gets their projections.
- This is too important a subject to limit it with a visual presentation.

**Eric Quesada**

- This information has been lacking in getting to the community.
- This type of presentation is good to be presented to the community.
- This information can't stay here, it needs to get out into the community.

**Ina Glim**

- She agrees with the other speakers in regards to presenting this information to the community.
- The public has fought very hard for inclusionary housing.
- When these projects are developed, they never know how many units are targeted for low income.
- There is a project on Van Ness Avenue, but how many units are affordable?
- There needs to be something done in regards to the marketing of these low income housing developments.

**ACTION: No Action Required**

15. 2000.292C (MARTIN: 558-6616)  
772 SOUTH VAN NESS AVENUE, west side between 18th and 19th Streets, Lot 008 in Assessor's Block 3590 - Request for a Conditional Use Authorization to allow the construction of dwellings at a density ratio up to one dwelling unit for each 1,000 square feet of lot area (Section 209.1(h) of the Planning Code) in an RH-3 (Residential, House Districts, Three-Family) District and a 50-X Height and Bulk District.  
*Preliminary Recommendation: Approve with conditions*

**SPEAKER(S): None**

**ACTION: Continued without hearing to September 14, 2000**

**AYES: Antenore, Joe, Mills, Richardson**



ABSENT: **Martin, Theoharis, Chinchilla**

16. 2000.387CR (MARTIN: 558-6616)  
3 COM PARK, at Candlestick Point, at the intersection of Jamestown Avenue and Harney Way, Lot 001, Assessor's Block 5000 -- Request for Conditional Use Authorization under Sections 234.2 and 209.6(b) of the Planning Code to install a total of four panel antennae in two stealth speakers with the base transceiver station to be located in storage space under the bleachers, as part of a wireless communication network in a P (Public) Zoning District and OS (Open Space) Height and Bulk Districts. *Preliminary Recommendation: Approve with conditions, including adopting a finding of conformity with the General Plan for the proposed project as required by Section 4.105 of the San Francisco Charter.*

SPEAKER(S):

**(+) Robert Crebs - Project Sponsor representing Sprint PCS**

- The conditional use petition complies with the WTS Sighting Guidelines and the San Francisco Municipal Code.
- This site is a preference 1.
- Over 100 organizations and tenants were notified to attend a community hearing yet no one attended.
- There was a second community hearing and only one person attended.
- The proposed installation is necessary to provide cell communication within 3COM park.
- 1/3 of 911 calls come in from cell phones.
- He would like this project to be approved.

**(-) Ralph House - Bayview Hill Neighborhood Association**

- There is a lack of interest from the community because he believes the community doesn't understand the technology of cell phone communications.
- There are some health problems with using cell phones. Sprint PCS has assured that digital technology is less harmful.
- There have been 5 installations approved in the area, some include antennas, switching stations/transition stations, etc.

**(-) Ina Glim**

- She came to speak on item 17 but this item involves the same problem.
- She is from the Nob Hill neighborhood.
- In the last week she has received 3 notices of installations in Nob Hill.
- The building that she lives in is proposed for antenna installation.
- Commercial buildings are not of concern, but when it comes to residential buildings, where there are children and people with health problems, it can be a problem.
- Cumulative affects are never talked about.

**(-) Gary Briggs**

- His concern is that he made a special trip to talk about Item 17, yet it was canceled.
- He lives in a building that he owns and he received a notice from the Planning Department because he lives within 300 feet of a proposed site for antenna installation.
- There is a problem with the mailing of notices since it appears that notices are being sent to residents and not building/property owners.
- Hearings are scheduled during the day which makes it difficult for people to leave their jobs to attend the meeting.
- He would like a notice sent to people in regards to procedures for Discretionary Reviews.

**Bill Hammut**

- There was a misundestand with the report that staff gave: there is a figure of 6% - that is





the value of the nearest seats under the antennas. There is an additional safety factor in that area of 16 times. The levels in the neighborhoods are negligible. They'll be tens of thousands of times below the standard.

ACTION: **Approved**  
AYES: **Antenore, Joe, Mills, Richardson**  
ABSENT: **Martin, Theoharis, Chinchilla**  
MOTION No. **15930**

17. 2000.651C (YOUNG: 558-6346)  
1333-1335 PACIFIC AVENUE, south side between Leavenworth and Hyde Streets; Lot 036 in Assessor's Block 0184: -- Request for Conditional Use Authorization pursuant to Section 711.83 of the Planning Code to install a total of three antennas and a base receiver station on an existing six-story residential over commercial building as part of Sprint's wireless telecommunications network in an NC-2 (Small Scale Neighborhood Commercial) District, Garment Shop Special Use District, and a 65-A Height and Bulk District.  
*Preliminary Recommendation: Approval with conditions*

SPEAKER(S): **None**  
ACTION: **Continued without hearing to September 7, 2000**  
AYES: **Antenore, Joe, Mills, Richardson**  
ABSENT: **Martin, Theoharis, Chinchilla**

18. 2000.400C (WILSON: 558-6602)  
950 MASON STREET, (Fairmont Hotel), entire block bounded by Mason, Sacramento, Powell and California Streets; Lot 001 in Assessor's Block 0244 -Request for a Conditional Use authorization to allow the installation of a wireless telecommunications facility, pursuant to Planning Code Sections 209.6(b) and 253, in an RM-4 (Residential, High Density) District and a 320-E Height and Bulk District.  
*Preliminary Recommendation: Approval with conditions*

SPEAKER(S):

**(+) Robert McCarthy - McCarthy and Swartz - Representing Metricom, Project Sponsor**

- There was a community meeting and only one person attended.
- This site is a category 6. It is actually a public building.
- They analyzed every block and lot in the surrounding area.
- No site was rejected on economic grounds. Sites were rejected because either they were purely residential, too low, or technologically inappropriate.
- This site meets all of the WTS sighting guidelines as well as the San Francisco Municipal Code.

SPEAKER(S): **None**  
ACTION: **Approved**  
AYES: **Antenore, Joe, Mills, Richardson**  
ABSENT: **Martin, Theoharis, Chinchilla**  
MOTION No.: **15931**

#### G. SPECIAL DISCRETIONARY REVIEW HEARING



At Approximately **3:30 P.M.** the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

19. 2000.637D (FALLAY: 558-6367)  
350 COLLINGWOOD STREET, Lot No. 006B in Assessor's Block No. 2751 -- Request for Discretionary Review of BPA No. 2000/02/10/1497, to construct a three-story rear addition and to convert a two- unit building to a single-family dwelling in an RH-2 (House, Two-Family) District and a 40-X Height and Bulk District.

*Preliminary Recommendation: Take Discretionary Review and approve the project with the condition that the third floor be eliminated and the side building wall of the proposed second floor be pulled back by five feet from the south side property line.*

**SPEAKER(S):** None  
**ACTION:** Continued without hearing to September 14, 2000  
**AYES:** Antenore, Joe, Mills, Richardson  
**ABSENT:** Martin, Theoharis, Chinchilla

Adjournment: 4:31 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, August 24, 2000.**



# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place

Thursday, August 3, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

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PUBLIC LIBRARY

PRESENT: Antenore, Joe, Salinas, Mills, Theoharis, Chinchilla, Richardson  
ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:40 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner, Zoning Administrator; Isolde Wilson; Edy Zwierzyky; Amit Gosh; David Alumbaugh; Paul Lord; Tony Kim; Paul Deutch; Nora Priego - Transcription Secretary, Linda D. Avery - Commission Secretary

### A. ITEMS PROPOSED FOR CONTINUANCE

- 2000.257E (WYCKO)  
200 TOWNSEND STREET, Appeal of Preliminary Negative Declaration Proposed demolition of existing one-and-two story buildings with about 8,000 gross square feet occupied by clothing outlets, a liquor store, and a vacant bar/restaurant plus a surface parking lot. New construction of a 97,400 gross square feet, 65 feet high structure with 51 live/work units, 1,400 gross square of retail space, about 10,900 gross square feet of office/business services, and 63 off -street parking spaces. The project site is situated at the northwest corner of Third and Townsend Streets in Assessor's Block 3787 and includes Lots 9, 10, 11, and 46. The proposed uses are permitted uses in the applicable Service/Light Industrial (SLI) and proposed South End Service (SES) Districts. Live/work is a permitted use under the interim Mixed Use Housing Zone (MUHZ) also in effect. The proposed five-story, 65 feet high structure would also conform to the 65-X height and bulk zoning for the project site. A lot merger is being sought. Parking, loading, and all other Planning Code requirements would be satisfied.  
(Proposed for Continuance to ~~August 17, 2000~~ August 24, 2000)



SPEAKER(S): **None**  
ACTION: **Continued without hearing to August 24, 2000**  
AYES: **Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore**  
ABSENT: **None**

**B. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**Patricia Vaughey**

- Two unit buildings are being converted to single family dwellings.
- There are several properties in the City which are being converted illegally.
- Concerned about the inconsistencies.
- A new residential plan needs to be developed that works.

**Gia Fujioka**

*Re: 1351 Grant Avenue*

- A project that was approved as a conditional use has been converted to commercial development located at 1351 Grant Avenue.
- Would like this case to be opened again.
- 20 tenants will be evicted for commercial use.
- A letter was submitted by the Asian Law Caucus to the Zoning Administrator.
- This case should be reconsidered by the Planning Commission.

**Choi Kwok**

*Re: 1351 Grant Avenue*

- Many of the tenants which are illegally being evicted are senior citizens or are disabled.
- They were Ellis Acted in October of 1999.
- If the proposed restaurant and bar opens up, there will be many tenants which will be evicted.
- He would like the case to be opened.

**Reverend Norman Fong**

*Re: 1351 Grant Avenue*

- Many of the tenants have been fighting to not be evicted since September of 1999.
- He would urge the Commissioners to open and reconsider this project.
- This project has a very negative impact on many people.

**Bill Sorro**





*Re: 1351 Grant Avenue*

- He is a native San Franciscan.
- He has seen a lot of changes in the City, and one of the changes is the displacement of many people.
- Approval of the International Hotel project--on August 4 (23 years ago)--caused about 70 Chinese and Filipino Senior Citizens to be evicted from the hotel.
- The Chinatown Community does not want this to happen again.
- Please don't let these tenants be evicted.

**Mrs. Chan Bao Wan**

*Re: 1351 Grant Avenue*

- She does not speak English so she brought a translator.
- She is from the Community Tenants Association. There are about 60 members here today at this hearing.
- They urge the Commission to reopen this case. They would like the commission to do whatever they can to save the affordable housing. San Francisco cannot afford to lose this affordable housing unit.
- They have nothing against the bar and restaurant, they just don't want to be evicted.

**Roberta Caravelli - President of Citizens Review**

*Re: 585 Laidley street*

- She is here to speak about all the laws which are being broken just to approve projects.
- The following laws will have been violated: The Brown Act, Section 54953c, 549 54.3a, Sunshine Ordinance Section 67.15(a) (c), and various sections of the Planning Code and Administrative Code.

**Brett Gladstone**

*Re: 129 Randall Street*

- He submitted the latest drawings to the commission.
- Staff will agree to the compromise indicated in the submittal that addresses some of the concerns expressed by some commissioners.
- Hopes that the Commission will take DR and approve changes.

**Paul Travis**

*Re: 129 Randall Street*

- The plans submitted did shorten the top floor, yet there were plans (and a preference expressed by some commissioners) to eliminate the entire top floor.
- Most of the neighbors are still not happy with the new plans.

**Paul Curtis**

*Re: 129 Randall Street*

- He is not aware of any meeting with the neighbors and he doesn't have a copy of the new plans.

**Bil Petri**

*Re: 129 Randall Street*

- There was no meeting between the neighbors and the developer.
- There are issues about mass and volume as well as parking.
- He would like a proper conference to agree on the structure.

**Tom Gillert**

*Re: 129 Randall Street*

- Would like to have proposed building without the 4th floor.
- He agrees with everything the previous speakers have made.

**C. COMMISSIONERS' QUESTIONS AND MATTERS**



2. Consideration of Adoption - draft minutes of July 13, 2000.

ACTION: **Approved**

AYES: **Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore**

ABSENT: **None**

3. Commission Matters

**Commissioner Theoharis:** *1351 Grant Avenue* - Would like this item calendered next week, 8/10/00, to get a status report.

**Commissioner Richardson:** *1351 Grant Avenue* - She is concerned that the commission is not creating another International Hotel. She would like to take appropriate measures that the tenants are not displaced.

**Commissioner Joe:** *1351 Grant Avenue* - She remembers when the project came before the commission, the tenants were not to be affected.

**Commissioner Antenore:** He won't be here next week but would like the case to move forward since he remembers when this case came before the commission.

SPEAKER(S):

**Roberta Caravelli:** The item is not on the agenda so the commissioners should not be able to comment.

D. **DIRECTOR'S REPORT**

4. Director's Announcements.

- He will not be present for the next 2 hearings but Mr. Larry Badiner will be in attendance.

5. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

**None**

6. Discuss procedures for addressing modifications to plans after they have been approved by the Planning Commission.

**Larry Badiner:**

- They have been working with staff specifically on this item. They have had a stamp in the office for a number of years. The procedure has been clarified in the last week. An e-mail was sent to all planners requiring that they stamp both the application and all elevations and plans of a project that has come to the Commission with the following items: "approved pursuant to CPC Discretionary Review action, all revisions should be referred to DCP". He has asked staff to follow up on this matter and date and initial the stamp as they put it on. He will be working with DBI to ensure that these items come back to us. He will follow up on this and provide reports on items as they come up. Also, a notation will be included in the permit tracking computer program to augment the hard copy.

**Gerald Green:**

- Although this is nothing new, Commission Chinchilla should receive credit for initiating this process.  
- Unfortunately, in the last year, this method has been applied inconsistently.  
- We are taking steps to improve and do a better job.



**Patricia Vaughey**

- One of the problems she has with the stamp is that certain people get copies of the stamp and use them at their own discretion when it's convenient.
- She suggests that different color ink be used for different days.
- There are still problems with lost drawings.
- People who are repeat offenders should have double or triple the fine.

**Roberta Caravelli**

- Internally, both the Building Department and the Planning Department need to watch for staff who are inconsistent about applying the procedures.
- Procedural disciplinary steps should be set in place if certain staff members don't comply with this.

7. 955 Green Street - Status report.**Joe Butler**

- He appreciates Mr. Badiner's eye on the details.
- The compliance with these matters is not hard to do. This has more to do with the attitude of the contractor and the inability of the project sponsor to get compliance from his contractor.

He looks forward to having these problems go away.

**Net Topham - Project Sponsor**

- He is working very hard to make sure every last detail of these conditions are approved. He met with Mr. Butler and they will continue to improve communications and make sure that any infractions are taken care of in a cooperative way.

8. (ALUMBAUGH: 558-6601)  
Update on the Better Neighborhoods 2002 project, per the Commission's request for quarterly updates.**Roberta Caravelli**

- Regarding transportation planning, government needs to start educating staff that they should take public transportation.

**E. CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED**

9. 1999.684D (WILSON: 558-6602)  
129 RANDALL STREET, south side between Whitney and Chenery Streets, Lot 038 in Assessor's Block 6663 -- Request for Discretionary Review of BPA No. 9911578, proposing to demolish the existing building and construct a new two-unit building in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review, approve project.  
**Prior Action: Public comment was closed at the February 17, 2000 hearing. The Commission continued the item to allow further discussion between the project sponsor and neighbors.**  
(Continued from Regular Meeting of July 27, 2000).  
**Note: On June 15, 2000, the Commission passed the following motions:**  
**1st Motion:** Take Discretionary Review with the following changes: 1) set back 8 feet further on the 4th floor; 2) project sponsor to continue to work with staff on architectural detailing of the facade with specific reference to the skylight on the 3rd floor. Vote of +2 -2. Commissioners Antenore and Joe voted no.



Commissioners Theoharis, Martin and Mills were absent.

**2nd Motion:** Take Discretionary Review with the following changes: 1) remove 4th floor 2) modify the front facade to fit into the character of the neighborhood. Vote +2 -2. Commissioners Chinchilla and Richardson voted no. Commissioners Theoharis, Martin and Mills were absent.

**Note:** On July 27, 2000, the representative of the project sponsor submitted revised plans. The Commission continued the matter for one week so they, staff, and the Discretionary Review Requestor would have an opportunity to review the new submission.

**SPEAKER(S):**

**Brett Gladstone - representing project sponsor**

- New changes are as follows: setting back the top floor an additional 8 feet; making the facade out of plaster to look like the surrounding buildings; change the front to show cornices; and change the front to eliminate wood siding.
- Many of the neighbors did receive the revised plans, although one neighbor mentions that he did not receive it.

**John O'Reilly - Project Sponsor**

- A transcript of the last hearing which states the requested changes was submitted to the commissioners. The only item which was not addressed was that the entire floor be removed.
- They have met with the neighbors many times and have had hearings a few times and there was never an intent expressed to remove the 4th floor.

**Paul Curtis**

- None of the changes made have been major.
- The revised plans don't say anything about the interior of the house.
- There will be 7 master bedrooms yet there is no way of knowing if the changes refer to a reduction of bedroom sizes.
- There is another house which is being built on this street and there has been no problems at all with that project since it totally complies with the neighborhood requirements.
- The current project is still too tall and too big.
- He hopes that the commissioners have had an opportunity to come to the site of the proposed project.

**Paul Travis**

- Two aspects need to be clarified: 1) a meeting which was held after the last hearing just outside of the chambers, is not a community meeting although it has been classified as one; 2) the plans which have been submitted address the view of the project from one narrow position.

**Art Bender**

- The compromise of the project sponsor in no way addresses the concerns of the neighbors. The neighbors are still strongly opposed.

**Bill Petri**

- There have not been any meetings since the last hearing.
- The issues have not been addressed.
- They are asking for a meeting so that all the items can be addressed.
- Meeting in the hall after the last hearing is not considered a meeting.

**ACTION:** Excused new Commissioner, Jim Salinas, who stated that he has not had an opportunity to review all tapes and material related to this case.





AYES: **Theoharis, Mills, Chinchilla, Richardson, Joe, Antenore**  
ABSENT: **None**

ACTION: **Take DR and remove 4th floor. The motion failed to carry.**

AYES: **Theoharis, Joe, Antenore**  
NAYES: **Mills, Chinchilla, Richardson**  
EXCUSED: **Salinas**  
ABSENT: **None**

ACTION: **Continued to August 17, 2000**  
AYES: **Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore**  
ABSENT: **None**

(ADDENDUM) 2000.269D (ZWIERZYCKI: 558-6263)

585 LAIDLEY STREET, south side between Castro and Roanoke Streets, Lot 025 in Assessor's Block 6727 - Request for Discretionary Review of building permit application No. 9923677 of proposal to construct a third-story addition on top of an existing two-story single-family residence in an RH-1 (House, One-Family) District and 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.

(Continued from Regular Meeting of July 20, 2000)

**Note: On May 18, 2000, following testimony, the Commission closed the public hearing and passed a motion of intent to take Discretionary Review and approve the project with design changes -- show new peaked roof design, add dormers to the rear, and setback building on the side of the DR requestor.**

#### **Andy Forest**

- The project is a 2 story building and plain stucco facade.
- They have gone through several changes.
- Staff has been working very hard to keep abreast of all the details.
- The new design will show a slopped roof to be more in character with the neighborhood; the north side of the structure will be set back, and dormers were inserted on the 3rd floor to allow headroom which is impinged by the slopped roof. He also kept the dormers away from the north side, which is the DR filer's side.
- He has followed the Commission's recommendations from the last hearing.

#### **Geraldine Foster**

- The engineer's proposed changes does not meet the Commissions mandate.
- The proposed peaked roof variation is still too high.
- More architectural changes will not legalize the project.
- To comply with Commissioners' requests, the roof slope should start at the floor of the 3rd level, not 5 feet high. The side setback at the rear should remain. The third floor facade should only have one small window and two or three dormers can be added. The peak of the roof should be limited to 30 feet as promised. It would provide the owner with more headroom.
- These changes will diminish the possibility of a future creation of a separate and illegal unit.

#### **Patricia Caravelli**

- If the 4th story on 129 Randall Street is out-of-character, then the 3rd floor on Laidley is out-of-character as well.



**Mr. Alvarenga**

- He is a native San Franciscan and grew up in this house. He would like to provide the same for his children.
- There are only two bedrooms, the addition would be to provide a space for his children. If the sloping roof starts at the base of the 2nd floor, this would give him no floor plan which was the whole idea for this project.

**ACTION:** Excused new Commissioner, Jim Salinas, who stated that he has not had an opportunity to review all tapes and material related to this case.

**AYES:** Theoharis, Mills, Chinchilla, Richardson, Joe, Antenore

**ABSENT:** None

**ACTION:** TAKE DR and approve project as revised

**AYES:** Theoharis, Mills, Chinchilla, Richardson, Joe, Antenore

**EXCUSED:** Salinas

**ABSENT:** None

**F. REGULAR CALENDAR**

10. 2000.742Z (LORD: 558-6311)

1306-1314 10TH AVENUE, Initiation of proposed reclassification of three Neighborhood Commercial District parcels (Assessors' Block 1764 Lots 039, 040, and 041) to RH-2 (House, Two Family) zoning.

Recommendation: Initiate reclassification and set public hearing date.

**SPEAKER(S):** None

**ACTION:** Approved to Initiate Reclassification and Set Public Hearing Date for 9/7/00.

**AYES:** Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore

**ABSENT:** None

**RESOLUTION NO. 15930**

11. 96.223E (DEUTSCH: 558-5965)

ALAMEDA WATERSHED MANAGEMENT PLAN. Certification of Final Environmental Impact Report (EIR) for the Alameda County Watershed Management Plan. The Watershed Management Plan would provide comprehensive policies and actions for managing the land and resources of the 40,000 acre Alameda Watershed, located in Alameda and Santa Clara Counties, owned and administered by the San Francisco Public Utilities Commission Water Supply and Treatment Division. The Watershed stores and provides water for homes and businesses in San Francisco and portions of San Mateo, Alameda and Santa Clara Counties. The EIR analyzes at a programmatic level the potential environmental impacts of various activities and development projects that could occur under the policies of the proposed Management Plan.

**Note: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on January 31, 2000. The Planning Commission does not conduct public review of Final EIRs. Public comments on the certification may be presented to the Planning Commission during the Public Comment portion of the Commission calendar.**

Preliminary Recommendation: Certify Final Environmental Impact Report



SPEAKER(S): **None**  
ACTION: **Approved to Certify Final Environmental Impact Report**  
AYES: **Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore**  
ABSENT: **None**  
MOTION NO. **15931**

12. 2000.271E (BLOMGREN: 558-5979)  
**415 BRYANT STREET, Appeal of a Preliminary Negative Declaration**, Lot 97 of Assessor's Block 3995. The project would entail the construction of a four-story, 45-foot high building which would have eight live-work units at 415 Bryant Street, south side of Bryant Street between Second and Third Streets (Assessor's Block 3775, Lot 97). The project is within the Mixed Use Housing Zone (MUHZ), a South End Office (SEO) Interim Control District, Service/Secondary Office (SSO) Zoning District, and a 40-x Height/Bulk District. The proposed building would cover the entire 4000 square foot lot which extends from Taber Place on the south to Bryant Street on the north. A one-story, 24-foot high office building at the south end of the parcel would be demolished. The floor area of the proposed building would be 17,800 gross square feet, excluding parking. All of the units of the building would be accessed from stairways and hallways which would have entrances on Bryant Street and Taber Place. The proposed building would provide eight parking spaces in a ground-level garage with an ingress/egress from Taber Place. Preliminary Recommendation: Uphold the Negative Declaration  
(Continued from Regular Meeting of July 6, 2000)

SPEAKER(S):

**(-) Lee Molton**

- He has been a resident of the neighborhood for 13 years.
- He is against the fact that this project is designated as live/work.
- When live work was created, it was to preserve diminishing large space for artists in industrial zones.
- He is not sure why the City or the Planning Commission is allowing housing to be built under live/work. He strongly disagrees with that.
- Housing patterns in San Francisco has advocated setbacks and open space between buildings and this pattern is not doing that.
- The Commission could help the neighbors by looking at the pattern.
- Census data is being used from 10 years ago so it's not up to date. The neighborhood has changed dramatically in the last 10 years.
- He wants to be a good neighbor with the developer.

**(-) David Fink**

- Resident of South Park.
- They are not against development in general.
- They are asking for respect from their new neighbor.
- Someone who doesn't live in the neighborhood will not know the impact of the construction.
- Developers of new houses need to abide by the laws.

**(+) Alice Barkley - Representing Project Sponsor**

- The project architect did not appeal the negative declaration.
- Currently the rear of the property is used for parking.
- There is no basis for ordering an EIR or not to affirm this Preliminary Declaration.
- The project sponsor volunteered not to work on Sunday and limit work hours on Saturday.



- There are no environmental issues for this project.

ACTION: **Uphold Negative Declaration**  
AYES: **Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore**  
ABSENT: **None**  
MOTION NO. **15932**

13. 1999.728C (MIRAMONTES: 558-6348)  
**2, 4 AND 5 CHARLTON COURT**, an alley off the south side of Union Street between Buchanan and Laguna Streets, Lots 26, 27 and 31 in Assessor's Block 542 -- Request for Conditional Use Authorization under Planning Code Sections 209.2(d) and 725.55 to continue operation of an existing inn, The Bed and Breakfast Inn, on two lots located within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District and on one lot located within the Union Street Neighborhood Commercial District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

**(+) Elizabeth Gordon**

- She is an attorney and represents the owners John and Beverly Shields
- There are about 220 petitions to support the project to remain as it is.
- The Inn has been in operation for the last 30 years. The Inn is also featured in the Inn City Guide Magazine.
- Would like for 2, 4 and 5 to remain in operation as an Inn. The department has indicated that the Shields needed to bring their guestrooms within the current zoning. The Shields agreed to do this. This would involve eliminating two guestrooms, bringing the total number of guestrooms from 11 to 9.
- She asks that the Commission adopt the department's recommendations with the following modifications: 1) continuation of the use of not only 2 and 4 but also 5 Charlton Ct.; 2) elimination of the two guestrooms in 4 Charlton to bring the Inn within the required zoning; 3) she is agreeable with the conversion of the two eliminated guestrooms to residential use.

**(+) John Shields**

- He and his wife purchased the Inn in 1987.
- They did not fully appreciate the legal significance of the zoning disclosed on the 3 R reports they received.
- They believed incorrectly that the Inn which had then been in operation for about 25 years had always been a Bed and Breakfast Inn.
- They have always had a business license with the city, a tax registration certificate and have paid hotel tax since the purchase of the Inn.
- In June of 1997, the Department of Public Health issued a permit to operate and a certificate of sanitary inspection authorizing food preparation.
- Also, in June of 1997, Planning approved continuation of their existing continental breakfast.
- They believed that there were no problems to continue running the Inn as is.
- They replaced a green house and a fence without obtaining proper permits. Although they eventually obtained permits, they realize that after-the-fact permits are not the same as obtaining the permit before starting the work.

**(+) William Abend - Project Architect**

- Buildings 2 and 4 are architecturally significant.





- Buildings 2 has 4 units and will remain that way.
  - Building 4 which has 5 units, will combine 2 units for residential use, and keep the other 3 units.
  - Building 5 which is across the street has 2 units and will remain as 2 units.
  - There will be no modification to the outside of any of the buildings.
- (+) **Leslie Lenhart - representing the Union Street Association**
- Their organization has positive comments about the Inn.
  - The Inn cannot be held responsible for people who are not guests of the Inn.
  - The Inn is a vital part to the shops and restaurants of the surrounding neighborhood.
- (+) **Dennis Beckbam - Owner of the Enchanted Christal**
- He has spoken to hundreds of guests at the Inn. Their experiences are positive
  - He has reserved rooms at the Inn on several occasions for his family.
  - There are very few opportunities in the City to stay at Inns and shop and dine in the surrounding area.
- (+) **Heleen Rene**
- She lives very close to the Inn.
  - She has lived in the neighborhood for about 15 years.
  - The Inn is always clean and it is always calm.
  - She would like the commission to approve the existence of the Inn
- (+) **Ainya Houser**
- She feels that the response of the tourists makes the inn the jewel of the neighborhood.
- (+) **Daniela Kirshenbaum - member of the Pacific Heights Residents Association**
- The owners have shown that it is possible to control noise and traffic on Charlton Court.
  - Her recommendation for the Commission to approve their permits to continue operating is contingent on a few considerations. The main one being 5 Charlton Court. This unit should be reverted to a 1 single family dwelling. It would be great for the owners to live at this unit.
- (-) **Pauline Johnson-Brown**
- As a neighbor she has tried to dialog with Mr. Shields regarding a code violation. It took him 8 months to return her phone call.
  - There is non-stop noise from the commercial laundry, the maids, the services.
  - Her drive way is constantly blocked.
  - There is no possibility for fire vehicles or emergency services.
  - At one point she wasn't able to leave her house because her car was blocked.
- ACTION:** **Approved as per staff recommendation: convert 5 Charlton Court back to a single family dwelling and allow no activities related to the remaining inn operations at 2 and 4 to occur at 5 and shall maintain an on-site full time manager and shall provide guest who plan to arrive by car with parking passes prior to the arrival to alleviate congestion on the court and a need to pull in. Diligently monitor a taxi/limousine service and ensure sound levels do not exceed acceptable noise levels. No events shall be held at the inn and other standard conditions.**
- AYES:** **Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore**
- ABSENT:** **None**
- MOTION NO.** **15933**
14. 2000.304C (FALLAY: 558-6367)  
4050 19TH AVENUE, east side, between Byxbee and Monticello Streets, Lot 010 in Assessor's Block 7083 -- Request for a Conditional Use Authorization to add



approximately 4,380 square feet of floor area to an existing nonconforming self-storage facility as required by Planning Code Section 186(b)(expansion of a non-complying use) in an NC-1 (Neighborhood Commercial Cluster) District and a 26-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**John Rhinehart**

- There is no traffic impact.
- They are well under the square footage coverage.
- They are not altering any of the elevations.

**ACTION: Approved**

**AYES: Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore**

**ABSENT: None**

**MOTION NO. 15934**

15. 2000.565C (DIBARTOLO: 558-6291)  
430 COLUMBUS, east side between Vallejo and Green Streets; Lot 016 in Assessor's Block 131: --Request for Conditional Use Authorization under Section 722.27 of the Planning Code to Extend the Hours of Use from 2:00 am to 6:00 am, to allow for a 24-hour operation, for the existing Full-Service Restaurant (Calzone's) in the North Beach Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with Conditions

**SPEAKER(S): None**

**ACTION: Without hearing, continued to August 10, 2000**

**AYES: Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore**

**ABSENT: None**

16. 1999.209EC (WANG: 558-6335)  
1748 HAIGHT STREET, a rectangular corner parcel, north side of Haight Street at Cole Street: Lots 8, 32, 33, 34, and 35 in Assessor's Block 1229 – Request for Conditional Use authorization as a Planned Unit Development under Planning Code Sections 303 and 304, requesting authorizations, modifications and exceptions related to Code Sections 719.11, 121.1, 719.12, 134, 719.21, 790.130, 121.2, 790.91, 790.92, 152, 136, 260, and 261. The project requires Conditional Use authorization for lot size exceeding 5,000 square feet, for up to five commercial uses over 2,500 square feet in area, allow replacement of an existing self-service restaurant up to 3,000 square feet in area or a future full-service restaurant up to 6,000 square feet in area. Authorization as a Planned Unit Development is requested to permit 100% lot coverage below grade and at the first commercial level, to allow the construction of two town house units in the rear yard, to permit commercial and underground parking use in the rear yard, to allow the substitution of two van loading spaces for the larger code required single loading dock, to allow minor deviations from the provisions for measurement of building height, loading space, awnings, marquees and bay windows. The property is in the Haight Street Neighborhood Commercial District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**(+) Lu Blazej - Representing John Brennan Company**



- This is a good project for San Francisco since it's a 34-unit housing project. It replaces retail. It's not building new retail.
- He thanked staff for their great work.
- He handed out a 28 page presentation outline.
- The commission will be making judgement with respect to housing affordability.
- This project is exempt for consideration from the housing affordability requirement.
- (+) **Mark Brennan**
  - Lives on Cole Street
  - He supports the project.
  - 10 years ago before the Goodwill building was built, Haight Street was a very bad place.
  - Now more housing will be built.
- (+) **Fredo Sarashederi**
  - He is the owner of business called Coffee Cantata
  - He has had this business since 1992
  - He wholeheartedly supports this project.
  - It will help the parking problems around the Haight
- (+) **Don Dietzing** - support
- (+) **Mathew Brennan**- support
- (+) **Joe O'Donaghue**
  - This is not a live/work
  - This is a 100% union project
  - There should be no property taxes on the units
- (+) **Ted Lowenberg**
  - The last time he was here, the commission failed to listen to the neighbors
  - The current project will improve the neighborhood
  - Please do not play politics. Approve this project.
- (-) **Jerum Donalds**
  - He and his wife have lived there since 1973.
  - He hopes that this case is not approved right away.
- (-) **Margerie Donalds**
  - Their garden is their pride and joy. With the proposed construction, she will loose the sunlight coming into her garden. She will also loose air.
  - They were never approached by the owner.
  - Does not keep the Haight's character
- (-) **Nane Obalstein**
  - Didn't receive any notice
  - Density of the infill is considerable
  - The impact will unsupportable for the people living on Haight Street
  - Traffic Impacts
  - Loss of light into her backyard
  - Reduce the number of units
  - Reduce the square footage of the restaurants.
- (-) **David Walker**
  - He opposes the townhouse.
  - The original plan was to renovate the I-beam
  - He is a tenant not a property owner.
- (-) **Phil Sower**
  - President of the Height/Ashbury Neighborhood Association
  - 1) keep mom and pop shops character; 2) neighborhood should decide what commercial site will be put in to the neighborhood; 3) maintain a bit of the diversity of the



neighborhood.

**(-) Elizabeth Kurshin**

- They oppose anything that will bring more cars into the neighborhood.
- She is opposed to the commercial parking

**(-)James Beck**

- This area is a major transit corridor.
- The area has a large volume of rental housing.
- It's a good thing that the owner wants to build more rental housing.
- Would like the owner to reduce the parking

**(-) Calvin Welsh**

- The developer is asking for special permission.
- Not opposing the rental housing or the affordable housing.
- This is not a historical site.
- Opposed to tripling the parking spaces
- Height Street is a transit preference street--the project should be designed to take advantage of it.

**(-) Lin Grinow**

- Adding a 74 stall parking component to the project will not improve the character of the Haight neighborhood.
- He would like the commission to do a review of the traffic impact of the proposed project.

**ACTION: Approved**

**AYES: Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe**

**NAYES: Antenore**

**ABSENT: None**

**MOTION No. 15935**

17. 1999.817C (LeBLANC: 558-6351)

990 COLUMBUS southeast corner at Chestnut Street; Lot 048 in Assessor's Block 0065

-- Request for Conditional Use authorization to install a wireless telecommunications facility consisting of 3 panel antennas on the roof of an existing 3-story commercial building and base station equipment in the basement of the building in the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of July 6, 2000)

**(+) Anthony Lolowell - Representing project sponsor Hammet & Edison**

- The facility proposed meets the requirements of Section 303(c)(1) of the Planning Code
- Worked very hard with the staff to secure the highest security for this facility
- This site is a preference 6
- The project will provide a reliable wireless system that will be good for not only the neighborhood but the entire City of San Francisco

**(+) Bill Hammet**

- This proposal meets the SCC standards in all accessible locations

**(-) Sheryl Harrison**

- She has been a tenant of this building for many years.
- There are many tenants in the area.
- These people will have exposure 24 hours a day.
- There are many other apartments, schools and preschools in the near vicinity of the proposed location for the antenna.





- There is a serious transmission of electro-magnetic fields and radiation
- Concern about public safety issues - would affect human being
- Would like commissioners to consider another location for these antennas.
- We do not really know the impact of this antennas

**(-) William Parell**

- The city of Los Angeles banned the installation of cellular phone towers within 100 meters of schools. If we where in Los Angeles this would not even be considered.
- This is very much of a health issue.
- The proposed antenna has 10,000 times the output of the hand held cell phones.
- The proposed antennas are for residential neighborhoods
- A number of neighbors have expressed their fears
- There are a number of alternative sites in the area.
- There is no need for this cellular tower to be in this neighborhood.
- Sprint has no need to increase capacity
- There is new equipment on the market that they click on from their existing sites to address the problem

**(-) Derk Carkjus, Consulting Engineer**

- He has been a resident of the area for 45 years.
- There are many guidelines regarding the safety/appearance and cost
- The government has put standards through the FCC, through OSHA, through the Veterans Administration
- There are no requirements that these antennas be installed at the proposed site.

**(-) Barry Martinez**

- Has lived in North Beach over 9 yrs.
- There have been studies made on the effects of microwave transmission

**(-) Carol Humphrey**

- Works on the second floor of 900 Columbus
- There are conclusive studies regarding the effects of electro-magnetic-radiation transmission

**ACTION: Approved**

**AYES: Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore**

**ABSENT: None**

**MOTION No. 15936**

18. 2000.323C (LeBLANC: 558-6351)

**545 POWELL STREET**, southwest corner at Bush Street; Lot 001 in Assessor's Block 0284 -- Request for Conditional Use authorization to (1) install a wireless telecommunications facility consisting of 4 panel antennas on the existing rooftop penthouse of a building and base station equipment inside a new penthouse on the roof of the building and (2) construct a structure exceeding 40 feet in height (the new penthouse) in an RC-4 (Residential-Commercial Combined) District and a 65-A Height and Bulk District.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of June 22, 2000)

**SPEAKER(S):**

**(+) Robert Crebs - Project Sponsor representing Sprint PCS**

- The design is visually unintrusive.
- There was one community outreach meeting held. Only 2 people attended.
- Needed service was identified in this area.



- This proposed facility will assist residents with better communication  
ACTION: **Approved**  
AYES: **Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore**  
ABSENT: **None**  
MOTION No.: **15937**

## G. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **6:50 P.M.** the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

- 19a. 1999.833D (MILLER: 558-6344)  
1 LA AVANZADA STREET --"Sutro Tower", (also known as 250 PALO ALTO AVENUE),  
Lot 3 in Assessor's Block 2724 --Request for Discretionary Review of Building Permit  
Application No. **9916932** --Retroactive permitting of 176 antennas (variety of hardware  
and distance off the ground) and two underground fuel tanks, at the existing SUTRO  
TOWER broadcast facility, in an RH-1(D) (House, One-Family Detached Dwellings)  
District.  
Preliminary Recommendation: Approval with Conditions

**NOTE:** Items 19a thru 19e were called and heard together.

SPEAKER(S):

(+) **Doris Linnenbach**

- She has been a residence of this neighborhood since 1956.
- Letters received from Supervisors state that they support continuance of this project (hearing).
- Neighbors were not adequately notified
- Sutro Tower has not been a good neighbor.
- Mr. Miller is greatly overworked, he needs to have an assistant.

(+) **Charlene Chin**

- The Planning Commission considers the effect of the Tower upon surrounding properties when exercising their discretion
- The Office of Environmental Review issuing a categorical exemption does not affect the Planning Commission's discretionary review authority
- This is an unprecedented series of applications
- There are currently about 80 antennas on the tower

**George Lynn**

- He has concerns about the radiation of the antennas but he also would like to speak about the tanks replaced on the site.
- The water department has taken great caution
- There are tanks that have fuel. These were replaced because they were inadequate. There might have been some leakage into our water.

**Emmet Humboldt**

- He is very worried about the radiation and EMF of the antennas
- He is worried about the structural integrity of the tower.
- There has been an arrogant approach with the neighborhood.
- He is concerned about the 24 additional antenna panels
- Sutro Tower has not been a good neighbor or corporate partner.

**John Rhinehart**



- He has been to meeting-after-meeting for the last 2 years.
- He is worried about the effect of the Tower as a whole.
- He keeps coming to meetings because he is concerned about the City. This tower seems to get rewarded for breaking the law.
- The neighbors only know that this is happening if they are in the loop.
- Why can't each antenna stand on it's own merit?

**Catherine Goldam Skyler, President, Twin Peaks Improvement Association**

- Lack of notice; inclusion as neighborhood association; questions why all those antennas should be installed before retrofitting the tower.
- She did not receive proper notification.
- Read a letter from Supervisor Mabel Teng.
- The neighborhood associations should have been properly notified.
- It is reckless to permit the antennas before they know if the retrofit will or can be done.

**Evelyn Craine, President of the Midtown Terrace Association**

- She would like to have good neighbors and would like to communication with the neighbors.
- If the elderly become ill, they can't have a life line.
- Would like the Planning Commission to provide the same services as the Water Department has.
- The streets are all torn up, yet the Water Department has been working very well with the neighbors.
- The Health Department said that they get more radiation than any other part of the residents of the City.
- Let the neighbors know at least 10 days before (a hearing) so they can be prepared.
- They are not morons, they are citizens of the City just like the Commissioners are.

**(+) Christine Linnenbach**

- The notice was inadequate.
- A lot of the antennas have been installed without permit.
- 1992, after the Loma Prieta earthquake, engineers did a study to find out what was there (Sutro Tower site). They substantiated that a lot of antennas been installed without permit.
- Antennas were installed in order to broadcast television to the entire Bay Area.
- The 1988 Planning Commission required conditional use applications and hearings when Sutro wanted to installed antennas.

**Robert McCarthy of McCarthy on behalf of Sutro Tower and Metricom**

- There have been 3 major concerns from the neighbors: Seismic safety of tower, safety of radio frequency emissions and tanks.
- The tanks were replaced because state law changed and they wanted to be in compliance.
- The tanks do not represent a threat whatsoever to the (resident's) water supply or the water supply in the reservoir
- In August of 1998, the Commission certified an EIR in connection with the DTV installation.
- The final building permit was never pulled by the contractor.
- Pursuant to findings at the most intense spot the amount of radio frequency emissions
- In order to insure that there is comfort among the neighbors in connection with that, we accept the Planning Director's conditions (there are 9 pages of them) to be attached to this permit.
- Every time we light a major antenna we will be required to do additional testing at 200 public accessible sites.



- Agree that DPH be permitted to be present and monitor the testing to assure that readings are accurate--and indeed DPH and two designated community representatives will be included to monitor the testing.
- Required to file the results and to notify the neighbors

**(+) Jim Lastros, General Manager of Sutro Tower**

- In regard to the seismic inspection, we have agreed to accept the Planning Department's conditions to make a very detailed annual inspection by an independent structural firm and licensed engineer.
- We also agree to comply with the recommendations that address any problems or conditions that require repair or remediation as suggested by this inspector.
- After compliance, we agree to bring back the engineer to inspect/insure that repair has been properly done.
- Agree to file these inspections with DBI, and notify the two adjacent neighborhood associations.

**ACTION: Take Discretionary Review and approve as amended**

**AYES: Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore**

**ABSENT: None**

- 19b. 2000.603D (MILLER: 558-6344)  
1 LA AVANZADA STREET --"Sutro Tower", (also known as 250 PALO ALTO AVENUE), Lot 3 in Assessor's Block 2724 --Request for Discretionary Review of Building Permit Application No. **9927275** --Two microwave interconnect antennas (two-way communication, to and from downtown TV studios to Tower) --one, two feet in diameter, on roof of transformer building approximately 35 feet above the ground, and the other, four feet in diameter, on Second Level of Tower at +/-185 feet high --one new six-foot dish antenna and one replacement six-foot dish antenna (replacing a four-foot dish) to be used as news-related microwave antennas (from studios to and from mobile news vans for dispatch and news transmission purposes), both on Fourth Level of Tower at +/-550 feet high --one two-way radio whip antenna (two inches in diameter and six feet long), Second Level of Tower at +/-185 feet high, at the existing SUTRO TOWER broadcast facility, in an RH-1(D) (House, One-Family Detached Dwellings) District.  
 Preliminary Recommendation: Approval with Conditions

**SPEAKER(S): Same as listed in item 19a**

**ACTION: Take Discretionary Review and approve as amended**

**AYES: Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore**

**ABSENT: None**

- 19c. 2000.604D (MILLER: 558-6344)  
1 LA AVANZADA STREET --"Sutro Tower", (also known as 250 PALO ALTO AVENUE), Lot 3 in Assessor's Block 2724 --Request for Discretionary Review of Building Permit Application No. **2000-02-11-1670** --Related to work in progress under Building Permit Application No. 9913916 (which was the subject of a "Discretionary Review" on August 12, 1999) --concrete pad to even out floor in transmitter building. The subject Permit Application was required by the Building Inspector reviewing the work under Application No. 9913916 to cover additional work that developed out of the work permitted therein, at the existing SUTRO TOWER broadcast facility, in an RH-1(D) (House, One-Family Detached Dwellings) District.  
 Preliminary Recommendation: Approval without Conditions





**SPEAKER(S):** Same as listed in item 19a  
**ACTION:** Take Discretionary Review and approve as amended  
**AYES:** Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore  
**ABSENT:** None

- 19d. 2000.605D (MILLER: 558-6344)  
1 LA AVANZADA STREET --"Sutro Tower", (also known as 250 PALO ALTO AVENUE), Lot 3 in Assessor's Block 2724 --Request for Discretionary Review of Building Permit Application No. **2000-04-07-6699** --Twenty-four wireless data-service internet-access panel antennas (panels +/-the size of medicine cabinets --to be attached to horizontal beam on Third Level of Tower, +/-380 feet high --for "Ricochet" metricom --to be used for wireless remote access to the internet by users of laptops and hand-held data organizers, etc.), at the existing SUTRO TOWER broadcast facility, in an RH-1(D) (House, One-Family Detached Dwellings) District.  
Preliminary Recommendation: Approval with Conditions

**SPEAKER(S):** Same as listed in item 19a  
**ACTION:** Take Discretionary Review and approve as amended  
**AYES:** Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore  
**ABSENT:** None

- 19e. 2000.606D (MILLER: 558-6344)  
1 LA AVANZADA STREET --"Sutro Tower", (also known as 250 PALO ALTO AVENUE), Lot 3 in Assessor's Block 2724 --Request for Discretionary Review of Building Permit Application No. **2000-06-07-1964** --One news-gathering antenna (six-foot microwave dish, receiving only --Fifth Level of Tower, +/-650 feet high --also to transmit data from traffic jams on Golden Gate and Bay Bridges), at the existing SUTRO TOWER broadcast facility, in an RH-1(D) (House, One-Family Detached Dwellings) District.  
Preliminary Recommendation: Approval with Conditions

**SPEAKER(S):** Same as listed in item 19a  
**ACTION:** Take Discretionary Review and approve as amended  
**AYES:** Theoharis, Mills, Chinchilla, Richardson, Salinas, Joe, Antenore  
**ABSENT:** None

Adjournment: **8:00 p.m.**

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 7, 2000**



# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, August 10, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

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PRESENT: Joe, Mills, Theoharis, Chinchilla, Salinas, Richardson  
ABSENT: Antenore,

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:33 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner, Zoning Administrator; Nora Priego - Transcription Secretary, Linda D. Avery - Commission Secretary

### A. ITEMS PROPOSED FOR CONTINUANCE

1. 2000.634D (MIRAMONTES: 558-6348)  
768 EL CAMINO DEL MAR, north side between Lake Street and 30th Avenue, Lots 5 and 6 in Assessor's Block 1307 -- Request for Discretionary Review of BPA No. 200003204801S, proposing to construct a below-grade exercise room at the rear of the property in a RH-1(D) (Residential, House, One-Family [Detached Dwellings]) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.  
**Discretionary Review Withdrawn**
2. 1998.090E (KUGLER: 558-5983)  
YERBA BUENA REDEVELOPMENT PROJECT AREA EXPANSION/EMPORIUM SITE DEVELOPMENT CEQA FINDINGS. Consideration of adoption of Findings and a Mitigation Monitoring Program, pursuant to the California Environmental Quality Act ("CEQA"), the State Guidelines, and Chapter 31 of the City's Administrative Code in connection with adoption of the Amendment to the Redevelopment Plan for the Yerba Buena Center Approved Redevelopment Project Area D-1 and various other actions necessary to implement the



Yerba Buena Redevelopment Project Area Expansion/Emporium Site Development Project on Lots 9, 10, 12, 13, 14, 15, 17, 18, 33, 38 and 43 of Assessor's Block 3705.

Preliminary Recommendation: Approval

**(Proposed for Continuance to August 17, 2000)**

**SPEAKER(S): None**

**ACTION: Continued as proposed**

**AYES: Theoharis, Mills, Joe, Salinas, Richardson**

**ABSENT: Antenore, Chinchilla**

3.

(ARCE: 558-6332)

**PROPOSED AMENDMENT TO THE ABSOLUTE CUMULATIVE SHADOW LIMIT FOR BOEDDEKER PARK.** Proposed action to amend the absolute cumulative limit for new shadows on Boeddeker Park, established by Resolution No. 11595 on February 7, 1989, from zero to 0.007%.

Preliminary Recommendation: Approval

**(Proposed for Continuance to August 17, 2000)**

**SPEAKER(S): None**

**ACTION: Continued as proposed**

**AYES: Theoharis, Mills, Joe, Salinas, Richardson**

**ABSENT: Antenore, Chinchilla**

(ARCE: 558-6332)

4.

**FINDINGS OF INSIGNIFICANCE FOR NEW SHADOW ON BOEDDEKER PARK.**

Consideration of Findings of no significant impact on Boeddeker Park from new shadow within the revised cumulative limit of 0.007% that would be cast on the park by the proposed Yerba Buena Redevelopment Project Area Expansion/Emporium Site Development Project.

Preliminary Recommendation: Approval

**(Proposed for Continuance to August 17, 2000)**

**SPEAKER(S): None**

**ACTION: Continued as proposed**

**AYES: Theoharis, Mills, Joe, Salinas, Richardson**

**ABSENT: Antenore, Chinchilla**

5.

1998.090R

(ARCE: 558-6332)

**GENERAL PLAN AND ZONING MAP AMENDMENTS.** Consideration of a proposal to adopt amendments to various maps of the General Plan to facilitate the Yerba Buena Redevelopment Project Area Expansion/Emporium Site Development Project. The maps of the General Plan that would be considered for amendment are: (1) the Map entitled "Streets are Important to the Perception of the City" found on page I.5.16 of the Urban Design Element of the General Plan, to be amended to remove a portion of Jessie Street which would be reconfigured by the Project; (2) Map 1 on page II.1.9 of the Downtown Area Plan, "Downtown Land Use and Density Plan," which would be amended to include the Project site in the Yerba Buena Center Redevelopment Project Area; (3) Map 3 on page II.1.21 of the Downtown Area Plan, "Major Open Spaces," which would be amended to show the Project site as included within the Yerba Buena Center Redevelopment Project Area; (4) Map 5 on page II.1.29 of the Downtown Area Plan, "Proposed Height and Bulk Districts," which would be amended to show the Project site as included within the Yerba Buena Center Redevelopment Project Area; (5) Map 7 on page II.1.47 of the Downtown Area Plan,



"Proposed Pedestrian Network: Downtown District," which would be amended to remove Jessie Street within Block 3705 as a "Pedestrian/Service Street"; and (6) Map 2 on page I.2.6 of the Commerce and Industry Element, "Generalized Commercial and Industrial Density Plan," which would be amended to include the Project site within the Yerba Buena Center Redevelopment Project Area. The Planning Commission initiated these amendments by Resolution No. 14920 on November 4, 1999.

Consideration also of a proposal to adopt amendments to Map 1H of the Zoning Map to facilitate the Yerba Buena Redevelopment Project Area Expansion/Emporium Site Development Project. The current building height and bulk designations for the Project site are 120-X and 160-S (north of Jessie Street) and 160-F (south of Jessie Street) and would be reclassified to designate the project site as 135-X, 200-X and 400-X Height and Bulk Districts. The Planning Commission initiated this amendment by Resolution No. 14921 on November 4, 1999.

Preliminary Recommendation: Approval.

**(Proposed for Continuance to August 17, 2000)**

**SPEAKER(S): None**

**ACTION: Continued as proposed**

**AYES: Theoharis, Mills, Joe, Salinas, Richardson**

**ABSENT: Antenore, Chinchilla**

6. 1998.090R (ARCE: 558-6332)

**FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND SECTION 101.1 OF THE PLANNING CODE.** Consideration of findings of consistency with the General Plan and Section 101.1 of the Planning Code for the Amendment o the Redevelopment Plan for the Yerba Buena Center Approved Redevelopment Project Area D-1 and various implementing actions for the Yerba Buena Redevelopment Project Area Expansion/Emporium Site Development Project, including but not limited to General Plan and Zoning Map amendments, partial vacation of Jessie Street, dedication of Jessie Street East and Jessie Street West, including establishment of sidewalks thereon, sidewalk changes to Mission Street and Jessie Street, and project authorization pursuant to Sections 320-325. All of these items are discussed in the Staff Report and all require findings of consistency with the General Plan and Section 101.1 of the Planning Code.

Preliminary Recommendation: Approval.

**(Proposed for Continuance to August 17, 2000)**

**SPEAKER(S): None**

**ACTION: Continued as proposed**

**AYES: Theoharis, Mills, Joe, Salinas, Richardson**

**ABSENT: Antenore, Chinchilla**

7. 1998.090R (ARCE: 558-6332)

**RECOMMENDATION OF THE AMENDMENT TO THE REDEVELOPMENT PLAN.**

Consideration of recommendation of the proposed Amendment to the Redevelopment Plan for the Yerba Buena Center Approved Redevelopment Project Area D-1 to the Board of Supervisors for approval.

Preliminary Recommendation: Approval

**(Proposed for Continuance to August 17, 2000)**

**SPEAKER(S): None**





ACTION: **Continued as proposed**  
AYES: **Theoharis, Mills, Joe, Salinas, Richardson**  
ABSENT: **Antenore, Chinchilla**

8. 1998.090B (ARCE: 558-6332)  
PLANNING CODE SECTIONS 320-325 (OFFICE DEVELOPMENT LIMITATION PROGRAM) PROJECT AUTHORIZATION. Request under Planning Code Sections 320-325 (Office Development Limitation Program) for 49,100 gross square feet of floor area of office space.

Preliminary Recommendation: Approval  
**(Proposed for Continuance to August 17, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued as proposed**  
AYES: **Theoharis, Mills, Joe, Salinas, Richardson**  
ABSENT: **Antenore, Chinchilla**

9. (ARCE: 558-6332)  
DELEGATION AGREEMENT CONTROLS. Consideration of approval of a Delegation Agreement by and between the City and County of San Francisco, acting through its Planning Commission, and the San Francisco Redevelopment Agency, to administer certain development controls under the Amendment to the Redevelopment Plan for the Yerba Buena Center Approved Redevelopment Project Area D-1.

Preliminary Recommendation: Approval  
**(Proposed for Continuance to August 17, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued as proposed**  
AYES: **Theoharis, Mills, Joe, Salinas, Richardson**  
ABSENT: **Antenore, Chinchilla**

10. (ARCE: 558-6332)  
SCHEMATIC DESIGN DOCUMENTS. Pursuant to the Delegation Agreement, consider the Schematic Design Documents for the Yerba Buena Redevelopment Project Area Expansion/Emporium Site Development Project for consistency with certain development controls in the Amendment to the Redevelopment Plan for the Yerba Buena Center Approved Redevelopment Project Area D-1.

Preliminary Recommendation: Approval with conditions  
**(Proposed for Continuance to August 17, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued as proposed**  
AYES: **Theoharis, Mills, Joe, Salinas, Richardson**  
ABSENT: **Antenore, Chinchilla**

11. 2000.286E (JAROSLAWSKY: 558-5970)  
925 BRYANT STREET - Appeal of a Preliminary Negative Declaration. The project site is located on Block 3780, Lot 077, within the western portion of the block, contains approximately 20,000 square feet and is within an IPZ (Industrial Protection Zone), a SLI



(Service/Light Industrial) District and a 40-X Height and Bulk District. The site contains 75 feet of frontage along Bryant Street to the west and 265 feet of frontage along Langton Street to the north. The proposal includes the conversion of approximately 13,000 square feet of an existing office/retail/warehouse structure into retail/business service use and the addition of approximately 26,000 square feet of new floor area. The footprint of the structure would remain the same. The addition of two floors would result in a total of three stories. The resulting building would be approximately 40 feet in height, contain approximately 39,000 square feet and would contain 37 on-site parking spaces accessed from Langton Street. Preliminary Recommendation: Uphold Preliminary Negative Declaration.  
**(Proposed for Continuance to August 24, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued as proposed**  
AYES: **Theoharis, Mills, Joe, Salinas, Richardson**  
ABSENT: **Antenore, Chinchilla**

12. 2000.009E (JAROSLAWSKY: 558- 5970)  
**1800 MISSION STREET - THE ARMORY** - Appeal of a Preliminary Negative Declaration, Assessors block 3547, lot 001. The project site contains the State Armory building, a city landmark containing approximately 200,000 square feet. The proposed project includes rehabilitation of the building, addition and conversion of use from vacant to office use. The total new square footage of the structure would be approximately 300,000 and would include 32 below-ground, off-street parking spaces and a loading area. There would be no substantial expansion of the building envelope. The 68,722 square foot project site is composed of one lot containing frontages on Mission, Fourteenth and Julian Streets. The site is within a C-M (Heavy Commercial) District and 65-B Height and Bulk District within the Mission District neighborhood. A variance would be required to provide fewer than the Planning Code required amount of parking and loading spaces. Preliminary Recommendation: Uphold Preliminary Negative Declaration  
**(Proposed for continuance to September 7, 2000).**

SPEAKER(S): **None**  
ACTION: **Continued as proposed**  
AYES: **Theoharis, Mills, Joe, Salinas, Richardson**  
ABSENT: **Antenore, Chinchilla**

13. 1999.543DD (WOODS: 558-6315)  
**338 - 12TH AVENUE**, east side between Geary Boulevard and Clement Streets, Lot 33 in Assessor's Block 1443 -- Request for Discretionary Review of BPA No. 9901007S, proposing to add a new fourth floor, front, side, and rear additions to the existing single-unit building at the front of the property only in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as revised.  
(Continued from Regular Meeting of June 20, 2000)  
**Note: On June 8, 2000, following public testimony, the Commission closed public hearing and continued the matter to give Staff time to review permit history.**  
**(Proposed for Continuance to September 14, 2000)**

SPEAKER(S): **None**



ACTION: **Continued as proposed**  
AYES: **Theoharis, Mills, Joe, Salinas, Richardson**  
ABSENT: **Antenore, Chinchilla**

14. 2000.209C (MILLER: 558-6344)  
1470 PINE STREET, north side between Polk and Larkin Streets, Lot 7A in Assessor's Block 645 -- Request for authorization of a **CONDITIONAL USE** for a **FIBER-OPTIC TELEVISION** and **TELECOMMUNICATIONS CABLE EQUIPMENT INSTALLATION** in an existing one-story building, in the Polk Street Neighborhood Commercial District and an 80-A Height and Bulk District.  
Preliminary Recommendation: Approval with conditions  
(Continued from Regular Meeting of July 27, 2000)  
**(Proposed for Continuance to September 14, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued as proposed**  
AYES: **Theoharis, Mills, Joe, Salinas, Richardson**  
ABSENT: **Antenore, Chinchilla**

15. 2000.415C (M. SNYDER: 575-6891)  
510 - 3RD STREET, southwest corner of 3rd Street and Bryant Street, Lot 115 in Assessor's Block 3776 -- Request for Conditional Use authorization under Planning Code Section 817.73 to install three sectors of antennas (four antennas in each sector) on the building's rooftop penthouse, in an SLI (Service/Light Industrial) District and a 50-X Height and Bulk District. The antennas would be flush mounted to the penthouse approximately 85-feet above grade or 6.5-feet above the height of the building's parapet. As part of the proposal, a base transceiver station would be installed within the building. The installation of the antennas and related equipment would be part of a wireless telecommunications network operated by Nextel Communications.  
Preliminary Recommendation: Approval  
**(Proposed for Continuance to September 21, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued as proposed**  
AYES: **Theoharis, Mills, Joe, Salinas, Richardson**  
ABSENT: **Antenore, Chinchilla**

## B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on



the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**SPEAKER(S):**

**Patricia Vaughey**

- There is an application at the Planing Department--2860 Filbert Street--drawings done by an interior designer not by a licensed architect.
- There are several issues concerning this case: Lot line differentials, and lot issues that have been overlooked.
- Building is on next door neighbor's lot--2812-2814 Lyon
- The Department could be liable for a law suit because of the fact that the building passes onto the neighbors lot.
- There should be a survey made before 311 notices are sent out.

**Aaron Peskin - Speaking on Behalf of the Telegraph Hill Dwellers, Alta-Filbert Preservation Association, and Friends of the Garden**

**Re: 22-30 Alta**

- EIR does not adequately respond to the comments and also failed to take into account that in June of this year, the Landmarks Board unanimously rejected this project because it has not been consistent with the Historic District.
- They are in negotiations with the project sponsor
- Would like the Commission to not certify this case

**Joe Latro - Speaking on Behalf of the Telegraph Hill Dwellers, Alta-Filbert Preservation Association, and Friends of the Garden**

**Re: 22-30 Alta**

- The Landmarks Board rejected the proposed alternative called C in the final EIR
- This can't be a proper bases for comparison
- Would like to focus on the shadow
- The lot has shade on the garden during 26 days of the year. If C goes in, it will increase the shade to 115 days. There will be 89 additional shade days per year.
- The final EIR should not be approved.

**Debra Stein, representing property owner at 22 Alta Street**

- The Board's opinion is not evidence of significance of environmental impact. The CEQA charge to the Planning Commission is to use its own judgment.
- The project is compared to the former McNear building and not to the empty site. However, for informational purposes the DEIR also compares the project with the McNear building, but for compliance with CEQA, there is compared data with the empty site.
- There is concern that alternative C somehow presents substantial new information that requires a recirculation and reevaluation of the environmental review document
- The new alternative is smaller than the prime project that is being evaluated.

**C. COMMISSIONERS' QUESTIONS AND MATTERS**

16. Consideration of Adoption - draft minutes of 7/20/00.

**SPEAKER(S): None**

**ACTION: Approved**

**AYES: Theoharis, Mills, Joe, Salinas, Richardson**





ABSENT: Antenore, Chinchilla

17. Commission Matters

**Commissioner Mills:** - Look into the conversion of 2 units into 1 unit.

Schedule for the first week of September when Gerald Green returns.

**Commissioner Theoharis:** 2860 Filbert Street

- staff to check project to make sure that the owner had a survey by a licenced professional.

420 Collingwood Street

- The floor was not removed.

- staff has schedule a meeting with the DR requestor and project sponsor.

- wants to schedule a staff report to insure the Commission that what was decided in the DR is carried out.

D. DIRECTOR'S REPORT

18. Director's Announcements.

2860 Filbert Street

- ZA is consulting with the District Attorney

- will provide information on 2860 Filbert and 420 Collingwood on 8/17/00 under Director's Report.

19. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.  
None

20. Status report on 1351 Grant Avenue

Following the status report, the Zoning Administrator, Mr. Badiner, recommended that this matter be calendared on the Commission's 9/7/2000 hearing agenda to consider revocation.

SPEAKER(S):

**Wai Ching-Kwan, Chinese Community Development Center**

- pleased with the ZA's report and they support his recommendation.

- look forward to the hearing of the conditional use.

E. REGULAR CALENDAR

21. (GITELMAN: 558-5977)

Update City List of Categorical Exemptions from the California Environmental Quality Act (CEQA): Citywide. The proposal is to adopt an updated list of types of projects that are categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA). CEQA and the Guidelines for implementation require that local agencies adopt a list of types of projects that are exempt from environmental review. Such a list must show activities at the local level that fall within each of the classes of exemptions set forth in the CEQA Guidelines, and must be consistent with the letter and the intent of the Guidelines. The Planning Commission adopted such list in 1981. Since that time, CEQA and the Guidelines pertaining to categorical exemptions have been revised. The City's list currently



proposed for adoption has been updated and amended to be consistent with changes in CEQA statutes and Guidelines. Chapter 31 of the Administrative Code (Section 31.17) requires that modifications to such list be adopted as administrative regulations by resolution of the Planning Commission after a public hearing.

Preliminary Recommendation: Adoption of Updated List of Categorical Exemptions.

**SPEAKER(S):**

**Don Andrini, Architectural Heritage Association**

- Class 31 Historic Resource Restoration Rehabilitation exempts projects if they are constructed in a manner that is consistent with the Secretary of the Interior's standard for the treatment of historic properties with guidelines for preserving/rehabilitating and reconstructing historic buildings.
- In California the Office of Historic Preservation is charged with pre-construction and post-construction review.

**Aaron Peskin - Telegraph Hill Dwellers Neighborhood Association**

- Will give written comments to Environmental Officer next week

**Sue Hestor**

- Glad that this item is being continued for a week.
- it would be very helpful if, in addition to making important documents available early enough to obtain to review, they would be advertised in advanced.
- The department has not decided on what is the determination of dot.coms.
- The Department does not have General Plan evaluation.

**Alice Barkley**

- She supports adoption of the categorical exemptions.
- It is a very important exception being adopted by the Commission.
- There is no inconsistency.
- Adopt the list as circulated.
- This hearing was mentioned more than once in public

**John Bardin**

- The BOS legislation is considered the chapter 31 update that Sup. Kaufman submitted, which was then submitted to the department as a staff report.
- There is a horrendous oversight that a piece of legislature like this go unnoticed.
- The BOS will recognize this oversight and send the documents back to the Department.

**ACTION:** Continued to 8/17/00

**AYES:** Theoharis, Mills, Chinchilla, Joe, Salinas, Richardson

**ABSENT:** Antenore

22. 1997.433E (COOPER: 558-5974)

22-30 ALTA STREET, **Certification of a Final Environmental Impact Report.** The proposed project would be the construction of a new residential building at 22-30 Alta Street, north side, between Sansome and Montgomery Streets (Assessor's Block 106, Lot 34A). The project site is located on a steeply sloped parcel adjacent to the Filbert Steps and Grace Marchant Garden. **Please note: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on December 22, 1998. The Planning Commission does not conduct public review of Final EIRs. Public Comments on the certification may be presented to the Planning Commission during the Public Comment portion of the Commission calendar.**

Preliminary Recommendation: Certify Environmental Impact Report  
(Continued from Regular Meeting of July 20, 2000)



SPEAKER(s): **None**  
 ACTION: **Certified the Final EIR**  
 AYES: **Theoharis, Mills, Joe, Salinas, Richardson, Chinchilla**  
 ABSENT: **Antenore**  
 MOTION NO. **15938**

23. 1998.497B (LeBLANC: 558-6351)  
215 FREMONT STREET, Southeast corner at Fremont and Howard Streets, Lot 12 in Assessor's Block 3738 -- Request for Project Authorization under Planning Code Sections 320-325 (Office Development Limitation Program) for 49,950 gross square feet of office space. On November 4, 1999, the Planning Commission approved Case No. 1998.497X, per Section 309 of the Planning Code, to alter the existing 6-story, approximately 286,991 square-foot office building at 215 Fremont Street. The approval of Case No. 1998.497X included the demolition of an existing 4-story penthouse structure, the conversion of 21,660 square feet of existing ground floor office space to retail space, and the construction of a new full seventh floor and a partial eighth floor, resulting in a net addition of 24,950 gross square feet of office space. The current project proposes to construct an additional 25,000 gross square feet of office space on a new partial floor within the 7th floor of the building at 215 Fremont Street, therefore bringing the total net new office space to 49,950 square feet. The project lies within a C-3-O (SD) (Downtown Office Special Development) District and within a 350-S and 200-S Height and Bulk Districts. Pursuant to Planning Code Section 313 the Department has determined that the project would result in the net addition of approximately 49,950 square feet of gross floor area office use, requiring compliance with the Office Affordable Housing Production Program.  
 Preliminary Recommendation: Approval with Conditions

SPEAKER(s):

**Andrew Junius, Project Sponsor Representative**

- requesting additional floor area
- The exterior changes are well underway
- The majority of the steel structure is now in place.
- The job is 50% complete.
- Because the floor height is larger than 20 feet, there is enough space to build an additional floor.
- Charles Schwab is the new owner of the building

**Meredith Foundoff, Charles Schwab team**

- They are very excited about this project.
- Every bit of space in this building is very important to them.
- They are a highly-developed technology company.
- This is a very positive opportunity for Schwab.

**Sue Hestor**

- She is glad that the height has dropped below the limit to 205 ft.
- The relations between DBI and the Planning Department are not very good.
- She would like the Commission to place restrictions when square footage is so close to the limit.
- It would be a good idea to start looking closely at this type of case.

**ACTION: Approved as amended with the following condition: In 6 months, staff is to report on whether art space is accessible open space.**

AYES: **Theoharis, Mills, Joe, Salinas, Richardson, Chinchilla**



**ABSENT: Antenore**  
**MOTION NO.15939**

24. 2000.326C (M. SNYDER: 575-6891)  
988 HOWARD STREET, northeast corner of Howard Street and 6th Street, Lot 25 in Assessor's Block 3725, -- Request for Conditional Use authorization under Planning Code Section 815.73 to install six antennas on the southwest corner of the building's roof approximately 38.66-feet above grade, in an RSD (Residential/Service Mixed Use) District and an 85-X Height and Bulk District. As part of the proposal, the antennas would be installed within a stealth chimney vent and a base transceiver station would be installed on the property. The installation of the antennas and related equipment would be part of a wireless telecommunications network operated by Sprint PCS.  
Preliminary Recommendation: Approval with conditions

**SPEAKER(S):****Robert Crebs - Representing project sponsor - Sprint PCS**

- The Conditional Use petition complies with both the WTS Sighting Guidelines and the San Francisco Municipal Code.
- The current building is a mixed use building.
- On June 21, a community outreach meeting was held. Nobody attended.
- The proposed equipment will be unintrusive.
- The proposed installation is necessary for communication of cellular equipment.
- A CU is permitted if the equipment is necessary and is compatible with the community.
- The design is compatible with the neighborhood.

**ACTION Approved****AYES: Theoharis, Mills, Joe, Salinas, Richardson, Chinchilla****ABSENT: Antenore****MOTION NO. 15940**

25. 2000.580C (DAVIDSON: 558-6363)  
620 CLEMENT STREET, north side between 7th and 8th Avenue; Lot 021 in Assessor's Block 1426 -- Request for Conditional Use authorization under Sections 186.1(b) and 186.1(e) of the Planning Code to allow the relocation and enlargement of a financial institution (National American Bank), which is considered a non-conforming use, from 100 Clement Street (Assessor's Block 1431, Lot 18) in the Inner Clement Neighborhood Commercial District and a 40-X Height and Bulk district.  
Preliminary Recommendation: Approval with conditions

**SPEAKER(S):****(+) Dan Sullivan - Speaking on Behalf of National American National Bank**

- Some neighborhoods want to have banks in their neighborhoods.
- In the old days, banks were considered a threat.
- This project is compatible with the neighborhood. It will be a small bank.
- The bank will have a neighborhood-serving use.
- This proposal should be approved.

**(-) Isai Gershwill**

- As of this date, the neighborhood has not received information on how this proposed bank will impact them.
- Will the current space be used completely by the bank, or will there be an expansion done?
- The area of the proposed bank has the highest traffic (pedestrian and cars) in the Clement





Street area.

**(+) Ron Miguel**

**(-) George Jules**

- What are the conditions of the approval?
- At the existing site, the bank is located in the center of the neighborhood's commercial area
- What happens if there is another bank which wants to be located there?

**(+) Peter Chan**

- Would like landlords to have the possibility to request additional banks to come into the neighborhood.

**ACTION: Approved**

**AYES: Theoharis, Mills, Joe, Salinas, Richardson, Chinchilla**

**ABSENT: Antenore**

**MOTION NO. 15941**

26. 2000.565C (DIBARTOLO: 558-6291)  
430 COLUMBUS AVENUE, east side between Vallejo and Green Streets; Lot 016 in Assessor's Block 131: --Request for Conditional Use Authorization under Section 722.27 of the Planning Code to Extend the Hours of Use from 2:00 am to 6:00 am, to allow for a 24-hour operation, for the existing Full-Service Restaurant (Calzone's) in the North Beach Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with Conditions  
(Continued from Regular Meeting of August 3, 2000)

**SPEAKER(S):**

**(+) Restaurant owner**

**(+) Marsha Garland**

**ACTION: Approved**

**AYES: Theoharis, Mills, Joe, Salinas, Richardson, Chinchilla**

**ABSENT: Antenore**

**MOTION NO. 15942**

## **F. SPECIAL DISCRETIONARY REVIEW HEARING**

At Approximately **3:10 P.M.** the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

27. 2000.732D (KEYLON: 558-6613)  
3445 GEARY BOULEVARD, southeast corner of Geary Boulevard and Stanyan Street, Lot 041 in Assessor's Block 1085 -- Request for Discretionary Review of BPA No. 200006304172, proposing a retail store (BEVERAGES AND MORE) of approximately 5,998 square feet on the ground floor of a newly constructed four-story building within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: The Planning Department recommends that no Discretionary Review be taken and that the building permit application be approved as proposed.

**SPEAKER(s):**

**(-) Ron Pierce - President of the Jordan Park Neighborhood Association**

- He comes with no malice to Beverages and More
- He opposes this case primarily because of the parking and traffic impact in the



neighborhood.

- Stanyan is one of many major corridors.
- This is a very hazardous and dangerous location.
- There is a loading dock which will cause traffic problems when delivery trucks are trying to back up into a small space. The driver would have to be an excellent driver to back up in one shot.
- Parking within the neighborhood and the Lone Mountain neighborhood is very difficult.
- They would like to limit impact on the neighborhood. It is a quiet neighborhood and they would like to keep it that way.
- Please look at the negative impact and suggestions from the neighborhood.

**(-) Supervisor Yaki**

- He is here to speak on behalf of the Discretionary Review requestor.
- Beverages and More is a good commercial neighbor, yet this type of store requires its customers to drive their cars.
- This store is not like a Blockbuster where one can walk and drop off their movies. Purchases from Beverages and More could require a car to be driven to transport them.
- The Coronet Theater will be demolished and a large use will be constructed there.
- It is important that we consider constructing housing in major transit areas.

**(-) David Heller - President of the Geary Boulevard Merchants Association**

- Their concerns are about safety and traffic.
- Parking is a major problem in the Geary Street area.
- He sees a potential disaster happening if this project is approved.
- This will have a devastating affect on their neighborhood.

**(-) William Goodson**

- To get to the parking spaces that Beverages and More is providing, you have to drive down below street level through a passage way that is 14 feet wide. An SUV is about 6 1/2 feet wide which means that anyone who has a car larger than a Geo, Saturn, or Toyota would have to park on the street.
- It is illogical for such a small space to be used for in/out cars.

**(-) Bob Lee - President of the Francisco Heights Neighborhood Association**

- Supervisor Yaki mentioned that we need to look into the future.
- UCFS is adding many residential units.
- My son was injured at this intersection.

**(-) Michael Sullivan**

- Has lived on Stanyan street for about 40 years.
- He works out of his home.
- Every day of the week he hears screeching brakes.
- He and his wife have a concern of the traffic safety at that intersection.
- Difficult to find parking in this area.
- This store will not be a store which would just attract people from the neighborhood. It will bring people from various parts of the City.

**(-) Ron Miguel - President of the Planning Association of the Richmond**

- This is a situation where a building was not designed to effectively handle the commercial activity it will generate, nor the resulting parking issues
- Beverages is ill suited for this neighborhood.
- He has been a customer of Beverages and More but this site is not good for the neighborhood.

**(-) Ron Konapouski**

- Has lived in the Richmond for about 30 years.
- He echos everything that people have mentioned.



**(-) Ralf Sisfek**

- Lives on Anza Street
- He shares the concerns which have been expressed. He knows the intersection very well. It already is a strange intersection.
- The intersection is very narrow as well as subject to fast traffic.

**Tailor Nagle**

- 30 years resident of Jordan Park
- His mother lives on Jordan Avenue.
- His concerns are about traffic.
- This project is not appropriate and/or compatible to the neighborhood.

**John Stuart**

- Has lived in the Richmond for 12 years.
- He is most familiar with the Beverages and More in Oakland.

**Rob Isimarkola - Represents the Richmond ? Neighborhood Association**

- There are safety and parking issues.

**(+) Andrew Junius - Reuben & Alter - Representing Beverages and More**

- This project is a fully code-compliant use.
- We talked about the Trader Joe issue in greater detail in our report.
- Project designed so there will not be a traffic problem.
- This store is located in an NC-3 district.

**(+) Tim Earny - Wilbir, Smith Associates**

- They did count about 500 vehicles going to the Trader Joe store.
- A parking study was done and parking conditions were looked at
- The addition of about 20 -30 vehicles would not substantially worsen the actual traffic conditions.
- Field counts were not conducted at other Beverages and More locations.

**(+) Ban Hudson - President and CEO of Beverages and More**

- Why does Beverages and More want to open a store at this location? They don't believe that the majority of the people are against their store.
- They are a neighborhood specialty store. They assist the neighborhoods. The neighborhood will appreciate the service they provide.
- Traffic and Parking is an issue in Northern California. This area has been zoned for retail. Their retail project fits within the guidelines and the structure of where they propose moving into.

**(+) Sharon Mark**

- Owns one of the building in the area which has 33 units.
- Please deny DR and approve store.

**(+) Wilfred Wong**

- He has been a resident of San Francisco for 49 years.
- He has owned a store at Ashbury and Market for many years.
- He has been watching this company for many years.
- This company is a high quality retail store.

**(+) David Richards - Officer of Beverages and More**

- There are 45,000 members just in San Francisco City and County.
- There are 14,367 members of the Bev Club.
- They have talked to their club members and they are asking for this store because it's convenient.

**(+) Mark Wasack**

- 20 year resident of the area.
- He is an attorney and his firm has done work for Beverages and More



- He shops at Trader Joes, and he eats at the restaurants in the area along with his family.
- The products that Beverages and More provide are good quality.
- This would be a good addition to the neighborhood.

**(+) Randy Kaplan**

- He is a small business owner
- This would help the neighbors.

**(+) Michelle Myers**

- She is here to support the Beverages and More project.
- She drives to Blockbuster or to Mels Diner even though they are close to her house.
- If she needs to get some ice cream or some beer, she would go to the corner store. She would go to Beverages and More to get the higher end specialty goods.

**(+) Hudson**

- He is in favor of this project.
- If he wants to get more bulk items he would like to have a choice and go to Beverages and More.
- This is not a quiet area, its a commercial area.

**(+) Matt Alexander**

- He and his family are customers of many of the retail stores on Geary Boulevard

**(+) Jessica Hessman**

- She agrees with other speakers in support of BevMo.
- She believes that the benefits outweigh the costs.

**(+) Steven McCleran - one of the founders of Beverages and More**

- The company did an analysis and a comparison of the various Beverages and More.
- The design of the store at this site will fit the circumstances of the area.
- Since 1994, not one single independent liquor store has closed their doors because of Beverages and More, simply because BevMore are a different kind of store.

**(+) Joe O'Donahue - Residential Builders**

- It makes sense for Beverages and More to be located there.

ACTION: **Take Discretionary Review and approve with conditions**  
AYES: **Theoharis, Mills, Salinas, Richardson, Chinchilla**  
NAYES: **Joe**  
ABSENT: **Antenore**

Adjournment: 4:37 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 7, 2000.**





# **SAN FRANCISCO PLANNING COMMISSION & RECREATION AND PARK COMMISSION**

## **Meeting Minutes**

### **Special Joint Meeting**

**Board of Supervisors Chamber - Room 250**

**City Hall, 1 Dr. Carlton B. Goodlett Place**

**Thursday, August 17, 2000**

**12:00 PM**

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**PLANNING - PRESENT:** Theoharis, Antenore, Joe, Mills, Salinas  
**ABSENT:** Chinchilla,

**RECREATION & PARK: - PRESENT:** Chin, Murray, Flunder, Friend, Getty, Segal  
**ABSENT:** Martin

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 12:22 P.M.**

**STAFF IN ATTENDANCE:** Larry Badiner - Zoning Administrator; Hillary Gitelman, Pedro Arce, Patricia Gerber - Transcription Secretary, Linda D. Avery - Commission Secretary

#### **A. PUBLIC COMMENT**

At this time, members of the public may address the Joint Commission on items of interest to the public that are within the subject matter jurisdiction of these Commissions except agenda items. With respect to



agenda items, your opportunity to address these Commissions will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**SPEAKER(s): None**

### **SPECIAL CALENDAR**

1. 98.090E (KUGLER: 558-5983)  
YERBA BUENA REDEVELOPMENT PROJECT AREA EXPANSION/EMPORIUM SITE DEVELOPMENT CEQA FINDINGS. Consideration of adoption of Findings and a Mitigation Monitoring Program, pursuant to the California Environmental Quality Act ("CEQA"), the State Guidelines, and Chapter 31 of the City's Administrative Code in connection with adoption of the Amendment to the Redevelopment Plan for the Yerba Buena Center Approved Redevelopment Project Area D-1 and various other actions necessary to implement the Yerba Buena Redevelopment Project Area Expansion/Emporium Site Development Project on Lots 9, 10, 12, 13, 14, 15, 17, 18, 33, 38 and 43 of Assessor's Block 3705.  
Preliminary Recommendation: Approval  
(Continued from Regular Meeting of August 10, 2000)

**SPEAKER(s): (name unclear)**

-the project is an economic liability; complete renovation is not a good idea; totally unnecessary; we don't need another hotel

**ACTION:** Approved

**AYES:** Theoharis, Antenore, Joe, Mills, Salinas, Jr.

**ABSENT:** Chinchilla

**MOTION No.** 15943

**NOTE:** - Items 2 through 9 were called and heard together

- Under their authority, the Recreation and Park Commission took separate and independant action from the Planning Commission on items 2 and 3.

2. (ARCE: 558-6332)  
PROPOSED AMENDMENT TO THE ABSOLUTE CUMULATIVE SHADOW LIMIT FOR BOEDDEKER PARK. Proposed action to amend the absolute cumulative limit for new shadows on Boeddeker Park, established by Resolution No. 11595 on February 7, 1989, from zero to 0.007%.



Preliminary Recommendation: Approval  
(Continued from Regular Meeting of August 10, 2000)

**SPEAKER(s): David Jones, Rep. of Project Sponsor**

- Gave an overall description of the project.
- Gave a summarized description of the project's design.
- **Debra Learner, Sr. Planner, Recreation and Park Dept.**
- Gave an overview of shadow impacts

**(+) Paul Moss**

- concerned about loading truck monitoring deliveries

**(+) Patrice Johnston**

- Supports the project

**(+) Anita Hill, Yerba Buena Alliance**

- Supports the project

**(+) Miles Stevens**

- Project will be a great source of employment for the people of San Francisco; supports the overall project

**(+) Carolyn Diamond**

- This project would serve as a destination to Market Street for new generations

**(+) Bernadet Sea, Filipino Cultural Center**

- Good asset to neighborhood

**(+) Naomi Ryan - Toolworks**

- Supports the project

**(+) Nathan Naman - Executive Director for the Committee on Jobs**

- Vast potential to the people of San Francisco
- Assurance of 4,000 jobs to the City

**(+) Jim Chappel, SPUR**

- One of the first projects SPUR was involved in the 1960s was called "What to do about Market Street".
- Lower Market Street has been successfully rebuilt, yet the mid-Market area has been resisting this renovation, especially the Emporium area.
- This site must be redeveloped as soon as possible.
- Patronage in the 5th and Market garage is going down since "Transit First" is working effectively. People are definitely taking transit to all the shops and restaurants in the area.
- He would like Commissioners to expedite this process as quickly as possible.

**(+) Don Marcus, Executive Director, Mission Hiring Hall**

- Will help the low income people of the City

**(+) (name unclear)**

- Shadow issue is very minimal; this project will benefit people both north and south of Market.

**(+) Ernestine Weiss**

- It would be a wonderful thing for Market and Mission Streets.

**(-) Charles Chase, Executive Director, San Francisco Heritage**

- Concerned about the decision making process that will have far



reaching implications on the future of San Francisco as it relates to this project--particularly, historic resources.

**(-) Mike Ryser, San Francisco Beautiful**

- Concerned about maintaining the quality of our urban environment

**(-) Jim Furth, United Food and Commercial Workers, Local 101**

- not in supports of the project

**(-) Rick Hetches, United Food and Commercial Workers, Local 101**

- employees shouldn't be discriminated

**(-) Mary Ann Miller, San Francisco Tomorrow**

- Planning Code bulk, and height limits
- EIR should be used to negotiate and get a better proposal, keeping all the good uses and promote good thoughtful renovation of the Emporium building.
- Should be more discussion about open space

**(-) Gary Jacobson**

- Shadow impact is very significant
- Social impact of the project, dividing the community
- Project does not impact the South of Market Street community
- MOU between the Private Developer and North Market Coalition, this MOU should become a part of the conditions of approval

**(-) Winchell Hayward, California Heritage Council**

- The use of tax payer money to subsidize against competition with private enterprise is a bad precedent.
- This is a very beautiful historical site

**(+) Joyce Robertson**

- Project very valuable for the City of San Francisco

**(+) Elizabeth Sullivan, Executive Director, Car Share**

- Would make a great a contribution to San Francisco's livability.

**ACTION: Approved**

**AYES: Theoharis, Mills, Antenore, Joe, Salinas, J r.**

**ABSENT: Chinchilla**

**MOTION No. 15944**

3.

(ARCE: 558-6332)

**FINDINGS OF INSIGNIFICANCE FOR NEW SHADOW ON BOEDDEKER PARK.**

Consideration of Findings of no significant impact on Boeddeker Park from new shadow within the revised cumulative limit of 0.007% that would be cast on the park by the proposed Yerba Buena Redevelopment Project Area Expansion/Emporium Site Development Project.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of August 10, 2000)

**SPEAKER(s): (same as shown for item #2)**

**ACTION: Approved**

**AYES: Theoharis, Mills, Antenore, Joe, Salinas**

**ABSENT: Chinchilla**

**MOTION No. 15945**





4. 98.090R (ARCE: 558-6332)

**GENERAL PLAN AND ZONING MAP AMENDMENTS.** Consideration of a proposal to adopt amendments to various maps of the General Plan to facilitate the Yerba Buena Redevelopment Project Area Expansion/Emporium Site Development Project. The maps of the General Plan that would be considered for amendment are: (1) the Map entitled "Streets are Important to the Perception of the City" found on page I.5.16 of the Urban Design Element of the General Plan, to be amended to remove a portion of Jessie Street which would be reconfigured by the Project; (2) Map 1 on page II.1.9 of the Downtown Area Plan, "Downtown Land Use and Density Plan," which would be amended to include the Project site in the Yerba Buena Center Redevelopment Project Area; (3) Map 3 on page II.1.21 of the Downtown Area Plan, "Major Open Spaces," which would be amended to show the Project site as included within the Yerba Buena Center Redevelopment Project Area; (4) Map 5 on page II.1.29 of the Downtown Area Plan, "Proposed Height and Bulk Districts," which would be amended to show the Project site as included within the Yerba Buena Center Redevelopment Project Area; (5) Map 7 on page II.1.47 of the Downtown Area Plan, "Proposed Pedestrian Network: Downtown District," which would be amended to remove Jessie Street within Block 3705 as a "Pedestrian/Service Street"; and (6) Map 2 on page I.2.6 of the Commerce and Industry Element, "Generalized Commercial and Industrial Density Plan," which would be amended to include the Project site within the Yerba Buena Center Redevelopment Project Area. The Planning Commission initiated these amendments by Resolution No. 14920 on November 4, 1999.

Consideration also of a proposal to adopt amendments to Map 1H of the Zoning Map to facilitate the Yerba Buena Redevelopment Project Area Expansion/Emporium Site Development Project. The current building height and bulk designations for the Project site are 120-X and 160-S (north of Jessie Street) and 160-F (south of Jessie Street) and would be reclassified to designate the project site as 135-X, 200-X and 400-X Height and Bulk Districts. The Planning Commission initiated this amendment by Resolution No. 14921 on November 4, 1999.

Preliminary Recommendation: Approval.

(Continued from Regular Meeting of August 10, 2000)

**SPEAKER(s):** (same as shown for item #2)

**ACTION:** Approved

**AYES:** Theoharis, Mills, Antenore, Joe, Salinas

**ABSENT:** Chinchilla

**MOTION No.** 15946

5. 98.090R (ARCE: 558-6332)

**FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND SECTION 101.1 OF THE PLANNING CODE.** Consideration of findings of consistency with the General Plan and Section 101.1 of the Planning Code for the Amendment o the Redevelopment Plan for the Yerba Buena Center Approved Redevelopment Project Area D-1 and various implementing actions for the Yerba Buena Redevelopment Project Area Expansion/Emporium Site Development Project, including but not limited to General Plan and Zoning Map amendments, partial vacation of Jessie Street, dedication of Jessie Street East and Jessie Street West, including establishment of sidewalks thereon, sidewalk changes to Mission Street and Jessie Street, and project authorization pursuant



to Sections 320-325. All of these items are discussed in the Staff Report and all require findings of consistency with the General Plan and Section 101.1 of the Planning Code.

Preliminary Recommendation: Approval.

(Continued from Regular Meeting of August 10, 2000)

**SPEAKER(s):** (same as shown for item #2)

**ACTION:** Approved

**AYES:** Theoharis, Mills, Antenore, Joe, Salinas

**ABSENT:** Chinchilla

**MOTION No.** 15947

6. 98.090R (ARCE: 558-6332)

RECOMMENDATION OF THE AMENDMENT TO THE REDEVELOPMENT PLAN.

Consideration of recommendation of the proposed Amendment to the Redevelopment Plan for the Yerba Buena Center Approved Redevelopment Project Area D-1 to the Board of Supervisors for approval.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of August 10, 2000)

**SPEAKER(s):** (same as shown for item #2)

**ACTION:** Approved

**AYES:** Theoharis, Mills, Antenore, Joe, Salinas

**ABSENT:** Chinchilla

**MOTION No.** 15948

7. 98.090B (ARCE: 558-6332)

PLANNING CODE SECTIONS 320-325 (OFFICE DEVELOPMENT LIMITATION PROGRAM) PROJECT AUTHORIZATION.

Request under Planning Code Sections 320-325 (Office Development Limitation Program) for 49,100 gross square feet of floor area of office space.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of August 10, 2000)

**SPEAKER(s):** (same as shown for item #2)

**ACTION:** Approved

**AYES:** Theoharis, Mills, Antenore, Joe, Salinas

**ABSENT:** Chinchilla

**MOTION No.** 15949

8. (ARCE: 558-6332)

DELEGATION AGREEMENT CONTROLS. Consideration of approval of a Delegation Agreement by and between the City and County of San Francisco, acting through its Planning Commission, and the San Francisco Redevelopment Agency, to administer certain development controls under the Amendment to the Redevelopment Plan for the Yerba Buena Center Approved Redevelopment Project Area D-1.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of August 10, 2000)



**SPEAKER(s):** (same as shown for item #2)  
**ACTION:** Approved  
**AYES:** Theoharis, Mills, Antenore, Joe, Salinas  
**ABSENT:** Chinchilla  
**MOTION No.** 15950

9. (ARCE: 558-6332)

**SCHEMATIC DESIGN DOCUMENTS.** Pursuant to the Delegation Agreement, consider the Schematic Design Documents for the Yerba Buena Redevelopment Project Area Expansion/Emporium Site Development Project for consistency with certain development controls in the Amendment to the Redevelopment Plan for the Yerba Buena Center Approved Redevelopment Project Area D-1.  
Preliminary Recommendation: Approval with conditions  
(Continued from Regular Meeting of August 10, 2000)

**SPEAKER(s):** (same as shown for item #2)  
**ACTION:** Approved  
**AYES:** Theoharis, Mills, Antenore, Joe, Salinas  
**ABSENT:** Chinchilla  
**MOTION No.** 15951

Adjournment:\_\_\_\_\_

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 7, 2000.**



# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Board of Supervisors Chamber - Room 250  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, August 17, 2000

**2:30 PM**

Regular Meeting

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PRESENT: Antenore, Joe, Theoharis, Mills, Chinchilla, Salinas, Sr.  
ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 2:50 P.M.

STAFF IN ATTENDANCE: Larry Badiner Zoning Administrator; Neil Hart, Hillary Gitelman, Charlotte Barham, Rana Ahmadi, Tony Kim Edy Zwierzycki, Tina Tam, Jim Nixon, Isolda Wilson, Patricia Gerber - Transcription Secretary, Linda D. Avery - Commission Secretary

### A. ITEMS PROPOSED FOR CONTINUANCE

1. 2000.118E (BUFORD: 558-5973)  
HARDING GOLF COURSE, Appeal of Preliminary Negative Declaration. The proposed project involves the upgrading and minor changes in the layout of Harding Park Golf Course, an 18-hole course located at Lake Merced in southwestern San Francisco. The existing nine-hole Fleming Course would not be substantially altered. The proposed project would include: removal of all existing grasses, replanting of tees, fairways, greens, and roughs with new grasses; realignment of the 13th fairway and green and relocation of the 18th green; and minor repositioning of several other greens and tees. Excavation and shaping of the ground surface would be required, generally to a depth of one foot or less. All existing buildings, including the clubhouse and pro shop, restaurant, cart barn, and maintenance building (totaling about 17,500 sq. ft. of floor area), would be demolished and replaced with new structures that would have approximately 30,000 sq. ft. of floor area. New structures include a combined and larger restaurant and clubhouse, and banquet facilities for group events. The proposed project would include construction of a driving range at a new location, double decked with lighting to allow nighttime use; the existing driving range would be upgraded. Artificial turf would be used on the driving ranges. New irrigation systems would be installed





on both the Harding and Fleming courses. Existing parking lots would be demolished and replaced at generally the same location as the main lot; about 50 parking spaces would be added. About 120 mature trees – mostly eucalyptus, cypress, and pine – would be removed as part of the project; additional trees may be removed as part of a city plan to replace existing trees that are nearing the end of their life span. No wetlands would be affected by project-related construction. The project site is in a P (Public) Use District and an OS (Open Space) Height and Bulk District, and is within the Local Coastal Zone permit area.  
**(Proposed for Continuance to September 14, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued as proposed**  
AYES: **Theoharis, Mills, Chinchilla, Antenore, Salinas, Joe**

2. 2000.257E (WYCKO: 558-5972)  
**200 TOWNSEND STREET, Appeal of Preliminary Negative Declaration** Proposed demolition of existing one-and-two story buildings with about 8,000 gross square feet occupied by clothing outlets, a liquor store, and a vacant bar/restaurant plus a surface parking lot. New construction of a 97,400 gross square feet, 65 feet high structure with 51 live/work units, 1,400 gross square of retail space, about 10,900 gross square feet of office/business services, and 63 off-street parking spaces. The project site is situated at the northwest corner of Third and Townsend Streets in Assessor's Block 3787 and includes Lots 9, 10, 11, and 46. The proposed uses are permitted uses in the applicable Service/Light Industrial (SLI) and proposed South End Service (SES) Districts. Live/work is a permitted use under the interim Mixed Use Housing Zone (MUHZ) also in effect. The proposed five-story, 65 feet high structure would also conform to the 65-X height and bulk zoning for the project site. A lot merger is being sought. Parking, loading, and all other Planning Code requirements would be satisfied.  
(Continued from Regular Meeting of August 3, 2000)  
**(Proposed for Continuance to August 24, 2000)**

SPEAKER(S): **None**  
ACTION: **Continued as proposed**  
AYES: **Theoharis, Mills, Chinchilla, Antenore, Salinas, Joe**

3. 1998.967C (MILLER: 558-6344)  
**3132 - 23RD STREET**, northeast corner at Shotwell Street, Lot 20 in Assessor's Block 2628 - Planning Commission-mandated one-year review for compliance with conditions of approval of Motion No.14810 authorizing a CONDITIONAL USE to establish a PLANT NURSERY WITH ASSOCIATED RETAIL SALES in an RH-3 (House, Three-Family) District and a 40-X Height and Bulk District.  
**Note: On May 11, 2000, the Commission continued the matter to August 17, 2000 to allow compliance with conditions of approval.**  
**(Proposed for Continuance to October 5, 2000) Note: This continuance is to allow for the required variance hearing to take place -- currently scheduled for Wednesday, September 20, 2000.**

SPEAKER(S): **None**  
ACTION: **Continued as proposed**  
AYES: **Theoharis, Mills, Chinchilla, Antenore, Salinas, Joe**

## B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a



public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

#### **SPEAKER(S):**

- (-) Paul Travis - 129 Randall Street**
  - Neighborhood never objected to the 2 unit project
  - Objections have always been about bulk and size
- (-) Paul Curtis - 129 Randall Street**
  - concerned about height and that the general size is more than twice the average house size in the neighborhood.
  - Plans that were presented to them showed a height exaggeration of the building to the west by 5 ft which gave an overall misconception of the proposed building's height in comparison to the one next to it by 3 ft.
- (-) Art Bender - 129 Randall Street**
  - project bigger than any other building in the block
- (-) Bill Patrick - 129 Randall**
  - concerned about height, too big.
  - Out of character from the rest of the neighborhood
- (+) John O'Reilly, Project Sponsor**
  - Opponents have not offered any compromise
  - Building is 5 ft. below the 40 foot permitted height limit
- (+) Joe O'Donoghue**
  - There is a housing crisis in the San Francisco
  - This project is not a monster home and should be approved

#### **C. COMMISSIONERS' QUESTIONS AND MATTERS**

4. Commission Matters  
**None**

#### **D. DIRECTOR'S REPORT**

5. Director's Announcements.  
**- 420 Collingwood will be put on calendar 8/24/00**
6. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.  
**None**

#### **E. CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED**

7. 2000.582C (NIKITAS: 558-6306)  
**1844 BRODERICK STREET** (aka 2889 California Street), southeast corner of California and Broderick Streets; Lot 021, in Assessor's Block 1028: -- Request for Conditional Use authorization pursuant to Section 209.6 of the Planning Code to install a total of three antennas and a base transceiver station on the existing Seventh Day Adventist Church as part



of Sprint's wireless telecommunications network in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of July 13, 2000)

**Note: On July 13, 2000 following public testimony, the Commission closed the public hearing and continued the matter to August 17, 2000, in order to give Sprint the opportunity to continue discussions with neighbors.**

## **WITHDRAWN**

8.

(GITELMAN: 558-5977)

Update City List of Categorical Exemptions from the California Environmental Quality Act (CEQA); Citywide. The proposal is to adopt an updated list of types of projects that are categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA). CEQA and the Guidelines for implementation require that local agencies adopt a list of types of projects that are exempt from environmental review. Such a list must show activities at the local level that fall within each of the classes of exemptions set forth in the CEQA Guidelines, and must be consistent with the letter and the intent of the Guidelines. The Planning Commission adopted such list in 1981. Since that time, CEQA and the Guidelines pertaining to categorical exemptions have been revised. The City's list currently proposed for adoption has been updated and amended to be consistent with changes in CEQA statutes and Guidelines. Chapter 31 of the Administrative Code (Section 31.17) requires that modifications to such list be adopted as administrative regulations by resolution of the Planning Commission after a public hearing.

Preliminary Recommendation: Adoption of Updated List of Categorical Exemptions.

**Note: On August 10, 2000 following public testimony the Commission closed the public hearing, and continued the matter to August 17, 2000, to allow staff time to respond to comments expressed by the public.**

SPEAKER(S):

None

ACTION:

Approved

AYES:

Theoharis, Mills, Chinchilla, Joe, Salinas

EXCUSED:

Antenore

MOTION No.

15952

9. 1999.684D

(WILSON: 558-6602)

129 RANDALL STREET, south side between Whitney and Chenery Streets, Lot 038 in Assessor's Block 6663 -- Request for Discretionary Review of BPA No. 9911578, proposing to demolish the existing building and construct a new two-unit building in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review, approve project.

**Prior Action: Public comment was closed at the February 17, 2000 hearing. The Commission continued the item to allow further discussion between the project sponsor and neighbors.**

(Continued from Regular Meeting of July 27, 2000).

**Note: On June 15, 2000, the Commission passed the following motions:**

**1st Motion:** Take Discretionary Review with the following changes: 1) set back 8 feet further on the 4th floor; 2) project sponsor to continue to work with staff on architectural detailing of the facade with specific reference to the skylight on the 3rd floor. Vote of +2 -2. Commissioners Antenore and Joe voted no. Commissioners Theoharis, Martin and Mills were absent.

**2nd Motion:** Take Discretionary Review with the following changes: 1) remove 4th floor 2) modify the front facade to fit into the character of the neighborhood. Vote +2 -2. Commissioners Chinchilla and Richardson voted no. Commissioners Theoharis, Martin and Mills were absent.



**Note:** On July 27, 2000, the representative of the project sponsor submitted revised plans. The Commission continued the matter for one week so they, staff, and the Discretionary Review Requestor would have an opportunity to review the new submission.

**Note:** On August 3, 2000, a motion to take Discretionary Review and remove the 4th floor failed to carry by a vote of +3 -3. The matter was continued to August 17, 2000. Commissioners Mills, Chinchilla and Richardson voted no. Commissioner Salinas was excused.

SPEAKER(S): None  
ACTION: Continued to September 28, 2000  
AYES: Theoharis, Mills, Antenore, Chinchilla, Salinas, Joe

## F. REGULAR CALENDAR

10. 1999.554E (AHMADI: 558-5966)  
601 KING STREET OFFICE BUILDING - CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT-The project site occupies Assessor's Block 3800, Lots 1 and 2, between King, Seventh, Deharo and Berry Streets, and is in an M-2 (Heavy Industrial) zoning district and a 50-X height and bulk district. The proposed project would involve the demolition of two warehouse buildings at 830 Seventh Street and 601 King Street and the construction of a 4-story plus mechanical penthouse and basement parking level office structure, approximately 50 feet tall. The proposed new building would contain approximately 238,000 gross square feet of office space. The structure would provide about 321 off-street independently accessible parking spaces in the basement level and ground-floor garage. The project would include two off-street loading spaces. **Please Note: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on July 13, 2000. The Planning Commission does not conduct public review of Final EIRs. Public comments on the certification may be presented to the Planning Commission during the Public Comment portion of the Commission calendar.**  
Preliminary Recommendation: Certify EIR.

SPEAKER(S): None  
ACTION: Certified  
AYES: Theoharis, Mills, Chinchilla, Antenore, Salinas, Joe  
MOTION No. 15953

11. 1999.603E (GITELMAN: 558-5977)  
555 MISSION STREET OFFICE PROJECT. Hearing on the Draft Environmental Impact Report (EIR). The proposed project involves demolition of six existing buildings and construction of a new 31-story building (about 455 feet tall including parapet) containing about 557,000 gross square feet (gsf) of office space, about 8,000 gsf of retail space, and about 38,990 gsf of below grade parking (about 150 valet spaces in two levels). A plaza of about 11,000 sf would be constructed between the new building and the office building at 101 Second Street to the west. The project site is on the south side of Mission Street, between First and Second Streets, and within the C-3-O (Downtown Office) zoning district; Assessor's Block 3721, Lots 69, 70, 78, 79, 80, and 81. **Note: Written comments on the Draft EIR will be accepted at the Planning Department offices until the close of business on August 29, 2000.**

Preliminary Recommendation: No action required

SPEAKER(S): **Lloyd Schoegel**  
- surplus of office building  
- proposal is reddenum, waste of money  
- the City is not controlling the environment  
ACTION: **Meeting held. No Action Required**





12. 1999.296M (BARHAM: 558-6252)  
TELECOMMUNICATIONS FACILITIES SECTION OF THE COMMUNITY FACILITIES ELEMENT - INFORMATIONAL PRESENTATION OF THE DRAFT AND CONSIDERATION OF INTENT TO INITIATE - Informational presentation and consideration of intent to initiate the Telecommunications Facilities Section, an amendment to the Community Facilities Element of the General Plan of the City and County of San Francisco. The Telecommunications Facilities Section contains objectives and policies for the siting, visual appearance, and distribution of wireless telecommunications services facilities in San Francisco. The Section is based upon the San Francisco Planning Department's August 15, 1996 *Wireless Telecommunications Services (WTS) Facilities Siting Guidelines*.  
Preliminary Recommendation: Approve Resolution of Intent to Initiate amendment and set public hearing date

SPEAKER(S): None  
ACTION: **Approved Initiation of amendment to the Community Facilities Element of the General Plan**  
AYES: **Theoharis, Mills, Chinchilla, Antenore, Salinas, Joe**  
RESOLUTION No. **15954**  
PUBLIC HEARING: **9/21/00**

13. 1999.668!BEKX (NIXON: 558-6341)  
38-44 TEHAMA STREET, (also known as 543 Howard Street), south side of Howard Street between First and Second Streets, Assessor's Block 3736, Lot 111, within a C-3-O(SD) (Downtown Office-Special Development District) and 200-X /350-S Height and Bulk Districts -- Appeal to the Planning Commission of determination by staff of the Planning Department of square footage of office development pursuant to Section 313 of the Planning Code.

SPEAKER(S): **Sue Hestor**  
**- Document delivered to staff on 8/1/00 was not in the public file nor was a copy given to Commissioners**  
ACTION: **Without further testimony, continued to 9/7/00**  
AYES: **Theoharis, Mills, Chinchilla, Antenore, Salinas, Joe**

- 14a. 1999.668!BEKX (NIXON: 558-6341)  
38-44 TEHAMA STREET (also known as 543 Howard Street), north side of Howard Street between First and Second Streets, Lot 111 in Assessor's Block 3736 -- Request for Determination of Compliance pursuant to Section 309 with respect to a proposal (1) to renovate the existing building interior, including remodeling the foyer, adding three elevators and adding two new stairwells; (2) construct a third and fourth level atop the building to a new height of 64 feet along Tehama Street; and (3) convert up to 49,950 square feet on the first, mezzanine, second, third and fourth floors of the building to office use. The entrance to the office space would be on Howard street. Approximately 24,000 square feet of existing non-office space in the basement and in the rear of the first floor and first floor mezzanine would be retained. The entrance to the non-office space would be on Tehama Street. There is no parking on this site and none is proposed. The project is within a C-3-O (SD) (Downtown Office-Special Development) District and 200-X / 350-S Height and Bulk Districts.  
(Continued from Regular Meeting of July 27, 2000)

SPEAKER(S): **(Same as item #13)**  
ACTION: **Without hearing, continued to 9/7/00**  
AYES: **Theoharis, Mills, Chinchilla, Antenore, Salinas, Joe**

- 14b. 1999.668!BEKX (NIXON: 558-6341)  
38-44 TEHAMA STREET, (also known as 543 Howard Street), north side of Howard Street between First and Second Streets, Lot 111 in Assessor's Block 3736 -- Request under Planning Code Sections 320-322 (Office Development Limitation Program) to allow the



creation of up to 49,950 square feet of office space in an existing industrially-occupied building of approximately 49,000 square feet proposed for expansion to approximately 73,000 square feet. Approximately 24,000 square feet of existing non-office space would be retained. The project is within a C-3-O (SD) (Downtown Office-Special Development) District and 200-X / 350-S Height and Bulk Districts.

(Continued from Regular Meeting of July 27, 2000)

**SPEAKER(S):** (Same as item #13)  
**ACTION:** Without hearing, continued to 9/7/00  
**AYES:** Theoharis, Mills, Chinchilla, Antenore, Salinas, Joe

15. 2000.216C (KIM: 558-6290)  
510 - 520 FREDERICK STREET, northwest corner at Frederick and Stanyan Streets; Lot 006 in Assessor's Block 1263 - Request for Conditional Use authorization to allow the installation of two panel antennas and an interior equipment shelter in the basement of an existing mixed-use building as part of a wireless telecommunication network, pursuant to Planning Code Section 710.83, in an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions

**SPEAKER(S):** Anthony Lowell, Project Sponsor  
- gave an overall description of the project  
**ACTION:** Approved  
**AYES:** Theoharis, Mills, Chinchilla, Antenore, Salinas, Joe  
**MOTION No.** 15955

16. 2000.396C (TAM: 558-6325)  
2645 OCEAN AVENUE, south side of Ocean Avenue, between 19th Avenue and Junipero Serra Boulevard; Lot 023 in Assessor's Block 7226 -Request for a Conditional Use authorization to install a total of 11 panel antennae and an interior equipment shelter in the basement of an existing mixed-use office/retail building as part of a wireless telecommunication network, pursuant to Planning Code Section 710.83, in a NC-1 (Neighborhood Commercial Cluster) District and a 26-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions

**SPEAKER(S):** (+)Ann Welsh, representative of Project Sponsor  
- gave an overall description of the project  
(-) Lauri Sullivan  
- tenants were not notified of the date of meeting with project sponsor  
- would like to meet with Metricom, to express their concerns  
(+) Robert Waller, Engineer  
- Interference issue with medical/electronic within this building are very unlikely  
**ACTION:** Approved with conditions that sponsor meet with building tenants prior to issuance of permit  
**AYES:** Theoharis, Mills, Chinchilla, Antenore, Joe  
**NAYES:** Salinas  
**MOTION No.** 15956

17. 2000.557C (ZWIERZYCKI: 558-6263)  
79 & 83 ALBERTA STREET, (proposed to be 638, 660 , & 662 Campbell Avenue), Lots 030 & 031 in Assessor's Block 6189, at and near the northeast corner of Campbell Avenue -- Request for Conditional Use authorization under Section 121(f) of the Planning Code to allow the creation of three lots (facing Campbell Avenue), each containing an area less than the required 1,750 square feet required for lots within 125 feet of two intersecting streets. These lots would be created as part of a merging and re-subdivision of two vacant lots (presently



facing Alberta Street) within an RH-1 (Residential, House, One-Family) District and 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

SPEAKER(S):	<b>None</b>
ACTION:	<b>Approved</b>
AYES:	<b>Theoharis, Mills, Chinchilla, Antenore, Salinas, Joe</b>
MOTION No.	<b>14957</b>

Adjournment: **4:28 p.m.**

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 21, 2000.**



/00

# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, August 24, 2000

1:30 PM

DOCUMENTS DEPT.

Regular Meeting

FEB 15 2001

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PRESENT: Antenore, Joe, Mills, Martin, Chinchilla  
ABSENT: Theoharis

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT MILLS AT 1:33 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Eddy Zwierzycki; Paul Maltzer; Bill Wycko; Irene Nishimura; Cecilia Jaroslowsky; Joy Navarrete; Joan Kugler; Mary Woods; Craig Nikitas; Michael Smith; Sharon Young; Matt Snyder; Nora Priego - Transcription Secretary; Linda D. Avery - Commission Secretary

### A. ITEMS PROPOSED FOR CONTINUANCE

1. 98.953C (GORDON: 558-6309)  
557-4TH STREET, entire block bounded by 4th, Welsh, Zoe and Freelon Streets (except for the existing building at the corner of Zoe and Freelon Streets which is Lot 62 in Assessor's Block 3776), Lot 119 in Assessor's Block 3776 -- Request for Conditional Use Authorization to allow: the construction of a Public Automobile Parking Garage (as defined by Planning Code Section 890.12) per Planning Code Section 816.30, and to allow parking in excess of accessory amounts per Planning Code Section 204.5. The site is within the SLI (Service/Light Industrial) District, a 50-X Height and Bulk District, the Industrial Protection Zone's Mixed Use Housing Buffer and the proposed Ballpark Vicinity Special Use District's South End Service District.  
Preliminary recommendation: Approval with Conditions  
(Proposed for Continuance to September 7, 2000)





SPEAKER(S): None  
ACTION: Continued to September 7, 2000  
AYES: Antenore, Joe, Mills, Chinchilla, Salinas  
ABSENT: Theoharis

2. 98.953D (GORDON: 558-6309)  
557-4TH STREET, entire block bounded by 4th, Welsh, Zoe and Freelon Streets (except for the existing building at the corner of Zoe and Freelon Streets which is Lot 62 in Assessor's Block 3776), Lot 119 in Assessor's Block 3776-- Staff Initiated Discretionary Review of Building Permit Application Nos. 9825943 through 9825955, submitted 12/19/98, for development of 11 four-story live/work buildings with 172 live/work units (about 194,200 gross square feet), in conjunction with the construction of four to six commercial/retail spaces and an approximately 244,000 gross square foot, three-level underground parking garage with 480 spaces. The site is within the SLI (Service Light/Industrial) Zoning District, a 50-X Height and Bulk District, the Industrial Protection Zone's Mixed Use Housing Buffer and the proposed Ballpark Vicinity Special Use District's South End Service District.  
Preliminary Recommendation: Take DR, approval of project with conditions.  
(Proposed for Continuance to September 7, 2000)

SPEAKER(S): None  
ACTION: Continued to September 7, 2000  
AYES: Antenore, Joe, Mills, Chinchilla, Salinas  
ABSENT: Theoharis

3. 2000.496D (MEHRA: 558-6257)  
419 - 35TH AVENUE, Request for Discretionary Review of Building Permit Application No. 20000127454, Case No. 2000.496D, for the property at 419 - 35th Avenue, Lot 4 in Assessor's Block 1467, proposing to construct a 19 foot deep, two story addition at the rear of the existing single-family dwelling and to add a one car garage adjacent to the existing one car garage at the front of the property. This property is in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit Application as submitted.  
(Proposed for Continuance to September 7, 2000)

SPEAKER(S): None  
ACTION: Continued to September 7, 2000  
AYES: Antenore, Joe, Mills, Chinchilla, Salinas  
ABSENT: Theoharis

4. 2000.035C (NIKITAS: 558-6306)  
1101-1123 FILLMORE STREET, northwest corner of Fillmore Street and Golden Gate Avenue; Lot 052, in Assessor's Block 0755 -- Request for Conditional Use authorization pursuant to Section 712.83 of the Planning Code to install a total of nine antennas and a base transceiver station on an existing 31-unit apartment building as part of Sprint's wireless telecommunications network in an NC-3 (Neighborhood Commercial, Moderate Scale) District and a 50-X Height and Bulk District. The subject site is within the Western Addition A-2 Redevelopment Area.  
Preliminary Recommendation: Approval with conditions



**(Proposed for Continuance to October 5, 2000)****SPEAKER(S): None****ACTION: Continued to October 5, 2000****AYES: Antenore, Joe, Mills, Chinchilla, Salinas****ABSENT: Theoharis****B. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**Kay Lamming***Re: 268 Chenery Street*

- She was the Discretionary Review requestor on this case on May 27, 1999. This case was the focus of much opposition.
- The Commission voted to accept the recommendations from staff.
- She appealed the matter and the decision is pending.
- The reason she is bringing this matter to the Commission is because the plans for this project on file at the Planning Department do not reflect the decision of the Commission.
- She would like to know what the true plans are and that an investigation be done.

**Judy Langley - Webster Street Historic District***Re: Smith-Kettlewell Eye Research Institute*

- She lives near the California Pacific Medical Center
- Smith-Kettlewell Eye Research Institute is one of the affiliates of the Center.
- This institute now owns 6 Victorian houses in the area which they have turned into offices; despite the fact that at least 4 of the houses are zoned for residential only. Many of these houses are becoming deteriorated.
- She would like the Commission to preserve these Victorian houses and keep them for residential use only.

**Beverly McCallister - Friends of the Webster Street Historic District***Re: Smith-Kettlewell Eye Research Institute*

- The Webster Street Historic District will be very much affected if this Institute is granted a conditional use permit.
- These San Francisco Victorian homes should be preserved as residences.

**Nelson Wild - Friends of the Webster Street Historic District***RE: Smith-Kettlewell Eye Research Institute*



- This institute knows that they are violating the law.
- They should be stopped.

**Heidi Engelbrechten - Friends of the Webster Street Historic District**

*Re: Smith-Kettlewell Eye Research Institute*

- She doesn't believe that offices belong in the Webster Street Historic District.
- She wants the Institute to restore these Victorian houses and have people living in there and not working.

**Donald Langley - Friends of the Webster Street Historic District**

*Re: Smith-Kettlewell Eye Research Institute*

- He would like the Commission to enforce the zoning ordinance and return the Victorian houses to residential use.
- Dr. Alan Scott, the head of Smith-Kettlewell, mentioned that his organization had been in the area for many years. Yet, having been around for many years like Smith-Kettlewell does not give it the right to change the look of the neighborhood.
- He would like to support planning staff and support the zoning ordinance.

**Matt Rowe - Haight Ashbury Youth Outreach**

*RE: 2500 Market Street*

- He works with the Haight Ashbury Youth Outreach Team.
- He supports the transitional housing at 2500 Market Street.
- Transitional housing projects are very important to the city because they provide shelter for the homeless.
- Agencies that work with homeless are happy to work with transitional houses.

**Bill Eddleman - Webster Street Historic District**

*RE: Smith-Kettlewell Eye Research Institute*

- Smith-Kettlewell has been converting the neighborhood to a medical center.
- These buildings which have been illegally used should be returned to housing use.

**Paul Horcher - Director of Solid Waste Management Company**

*RE: Sanitary Fill Company*

- He has to divert trash by 50% this year.
- If they fail to meet their goal they will be charged \$10,000 per day.

**John Bards**

*RE: Smith-Kettlewell Eye Research Institute*

- The neighborhood, at that time, supported the building of the California Pacific Medical Center.
- This institution is violating planning laws and their master plan. The Commission has to take some action regarding what people have asked for with California Pacific Medical Center.
- Urges the Commission to get some word to the Board and to the Building Inspection Department regarding the enforcement of the Institutional Master Plan ordinance and zoning laws.

**Ralph Oroquita**

*Re: Sanitary Waste Management Company*

- This project has been going on for the past 10 years. There is no emergency.
- A 2-week continuance shouldn't hurt the company in any way.

**Patricia Vaughney**

*RE: Smith-Kettlewell Eye Research Institute*

- There is a vacant hospital at Mt. Zion.
- Is there any way that Smith-Kettlewell can move in there instead of moving into houses?

**C. COMMISSIONERS' QUESTIONS AND MATTERS**



5. Consideration of Adoption - draft minutes of 7/27/00.

ACTION: **Approved**  
AYES: **Antenore, Joe, Mills, Chinchilla, Salinas**  
ABSENT: **Theoharis**

- 6 Commission Matters

**Commissioner Mills:** Would like a status report on the Webster Street Historic District/Smith-Kettlewell case.

**Commissioner Antenore:** Would like a status report on 268 Chenney Street.

D. **DIRECTOR'S REPORT**

7. Director's Announcements.  
**None**

8. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

Re: 2836-2838 Washington Street (Discretionary Review) - The Planning Commission decision was upheld.

Re: 450 Rhode Island - There were issues raised about the appropriateness of the development but the Commission's decision was upheld.

9. 2868 Filbert Street, Status report

- This item came up during Public Comment at an earlier hearing. The ZA reviewed the documentation and found there is discrepancy between City records. He has determined that a survey by a licensed architect at the expense of the project sponsor is required in order to determine what the code provisions are in order to implement the Planning Code.

10. 420 Collingwood Street, Status report

- The owner has come to an agreement with what the Commission has requested.  
- The problems have been resolved.

11. Staff report on Business Service Definition - Its impacts on contributions to affordable housing, transportation and child care.

- Staff has been receiving a number of requests over the last year on determinations for business service. Staff has been implementing projects on a case-by-case basis--requiring a description of the actual tenant in order to determine if multimedia is a tenant.  
- They have received 35 cases since January 1, 1999. A number of these have been duplicated.  
- Since April of this year, any building over 2,500 square feet would be subject to these requirements.  
- He (the ZA) believes that we are not losing fees. The proposed fees also apply to hotels and entertainment. The Commission has not approved any hotels or entertainment projects.





## 12. Staff report on Congestion Management in SOMA.

**Andy Nash - Acting Director of the San Francisco County Transportation Authority**

- Has designed a program to provide information for use in prioritizing transportation investment decisions and to identify new ways of solving transportation problems.
- Extensive Public Input Process - Started 2 years ago
- Public Input Program: 1) improve transit reliability; 2) reduce transportation impacts on neighborhoods; 3) make it easier to get around by all modes.
- Transportation Model Results
- San Francisco Transportation Policy: 1) General Plan; 2) Charter
- Public Input
- Technical Committee
- City and Regional Agency Input: 1) MUNI Strategic Plan and CIP; 2) DPT and DPW Capital Improvement Plans; 3) BART Strategic Plan and CIP
- Federal, State and Local Funding: 1) 30 year estimate based on past success; 2) assumed extension of existing ½ cent transportation sales tax.
- Approximately \$5.4 billion available.
- Categorize Projects into Components: 1) Maintain and Sustain; 2) San Francisco Enhancements; 3) San Francisco and Regional Expansion; 4) Market-Based and Innovative.
- Problems found: Too little money and too many projects. The only funds available are \$5.4 million.
- Recommendations: 1) CTP Investment Plan; 2) Planning and Funding Recommendations Designed to Address Funding Shortfall
- Prepare a "Better Neighborhoods 2002" plan for SOMA.
- Consider ways of anticipating new neighborhoods.
- Support Transit Priority Corridor Implementation

**Patricia Vaughey**

*Re: 2860 Filbert Street*

- The deeds of trust between 4 of the neighbors don't add up.
- In 1946 some of these lots were merged.
- She recommends that the survey be based on the 1922-1946 mergers.

**John Bards**

*RE: Congestion Management*

- The report on transportation was very informative. Yet it would be wonderful to hear a similar presentation for a housing plan.

**E. REGULAR CALENDAR**

- 13a. 2000.725C (KEYLON: 558-6613)  
2500 MARKET STREET, north side between Diamond and Castro Streets, thru lot from Market Street to 17th Street, Lot 1 in Assessor's Block 2648- Request for Conditional Use Authorization under Planning Code Section 209.2(a) to use the existing structure as transitional housing for up to 15 homeless youths within an RH-3 (Residential, House, Three-Family) District and 40-X Height and Bulk District. The Zoning Administrator will conduct a joint hearing on a request for an off-street parking variance under Planning Code Section 151 and usable open space variance under Planning Code Section 135.  
 Preliminary Recommendation: Approval with conditions

SPEAKER(S): **None**



ACTION: **Without hearing, continued to September 7, 2000**  
 AYES: **Antenore, Joe, Mills, Chinchilla, Salinas**  
 ABSENT: **Theoharis**

- 13b. 2000.725V (KEYLON: 558-6613)  
2500 MARKET STREET, north side between Diamond and Castro Streets, thru lot from Market Street to 17th Street; Lot 1 in Assessor's Block 2648 in an RH-3 (Residential House, Three-Family) District and 40-X Height and Bulk District. OFF-STREET PARKING AND USABLE OPEN SPACE VARIANCES SOUGHT: The proposal is to establish transitional housing for up to 15 homeless youths in the currently vacant two-story, former City Athletic Club building, without providing any required off-street parking or usable open space.

SPEAKER(S): **None**  
 ACTION: **Without hearing, continued to September 7, 2000**  
 AYES: **Antenore, Joe, Mills, Chinchilla, Salinas**  
 ABSENT: **Theoharis**

- 14a. 2000.363CV (ZWIERZYCKI: 558-6263)  
471 AND 479 CASTRO STREET, eastern side between 17th and 18th Streets, Lots 59 and 60 in Assessor's Block 3582 -- Request for Conditional Use authorization to exceed the permitted lot and use sizes of 4,999 and 2,499 gross square feet, respectively, under Planning Code Sections 715.11 and 715.21, by merging two lots; creating interior connections between the retail stores on these lots; and constructing additional floor area in the Castro Street Neighborhood-Commercial District and 65-B Height and Bulk District. Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

**(+) Lion Barnett - President of Eureka Valley Promotion Association**

- Would like the Commission to approve the project with the conditions imposed by staff.
- He also supports the parking variance.

**(+) Ernie Asten - Owner of the property**

- If the Commission has any questions, he will be available.
- The proposed alterations will allow him to compete with other businesses.

**(+) Joe Curtin - President of Castro Area Planning and Action**

- The amendments to the plan will become effective shortly.
- He supports the owner's application of a variance and conditional use permit.
- The restaurant is in a very important location in the Castro Street.

**(+) Patrick Batt - President of the Merchants of Market and Castro**

- Ernie came to their community meetings and exposed the project to the neighborhood. There was no opposition.

**(+) Gary Virginia**

- The owners of Cliffs are prime examples of how small business merchants could operate with community planning
- Cliffs donates consistently.
- He supports the Conditional Use and Variance request.

ACTION: **Approved**  
 AYES: **Antenore, Joe, Mills, Chinchilla, Salinas**  
 ABSENT: **Theoharis**  
 MOTION NO. **15958**

- 14b. 2000.363CV (ZWIERZYCKI: 558-6263)  
471 AND 479 CASTRO STREET, eastern side between 17th and 18th Streets, Lots 59 and 60 in Assessor's Block 3582 -- The Zoning Administrator will conduct a joint hearing on a



request for an off-street parking and loading variance from the five off-street parking and one off-street loading spaces required when connecting the retail uses at the referenced addresses and constructing additional floor area at the rear of, and on top of 471 Castro Street. The project is in the Castro Street Neighborhood-Commercial Zoning District and 65-B Height and Bulk District.

**SPEAKER(S): Public Hearing Closed by ZA**

**ACTION: The matter has been taken under advisement**

15. 1999.151E (MALTZER: 558-6391)  
**SANITARY FILL COMPANY SOLID WASTE FACILITY PERMIT REVISION; 501 TUNNEL AVENUE; Appeal of Preliminary Negative Declaration.** Assessor's Block 4991/Lots 7, 8, 9 and 82 in San Francisco County; and Assessor's Block 152/Lots 030, 340 and 220 (partial) in San Mateo County. The Sanitary Fill Company seeks to revise its Solid Waste Facility Permit to allow for: (1) the removal of scheduling restrictions on refuse fleet hauling; (2) an increase in permitted vehicle trips per day; (3) approval to stage and handle source-separated organic waste as a separate waste stream; (4) approval to enclose the construction and demolition debris sort line and increase the hours of sort line operation; and (5) removal of the Household Hazardous Waste Collection Facility from the Solid Waste Facility Permit. Preliminary Recommendation: Uphold Preliminary Negative Declaration (Continued from Regular Meeting of July 13, 2000)

**SPEAKER(S):**

**(+) Robert McCarthy - McCarthy and Schwartz - representing Norcal Waste Systems and its subsidiary Sanitary Fill Company.**

- This case is a very limited matter. The City is under an obligation to reach a 50% diversion of its refuse in order to stop using landfill and start recycling more.
- This facility would expand the amount of green waste that comes out of the refuse. It's not an increase in the garbage. It's just to be able to pull it out and stream it so it's separate and recycled in a compost facility offsite. It will also enclose the sort line that is used for construction and debris. This would take the workers out of the elements and will benefit the neighbors since it will reduce dust, noise and glare.
- This facility operates 24 hours already and will add 12 employees during off hours.

**(-) Ralf Oroquita**

- His community is now 50% Asian. He has not seen any publications in Chinese to inform these residents.
- There are many garbage and recycling facilities in their neighborhood.
- This project requires an EIR and a real plan should be carried out to inform the neighbors.
- The project is too big. Many homes and yards can be built in this location.
- The Commission can help by postponing this development in order to have more discussions.

**(+/-) Don Bertone - President of the Little Hollywood Neighborhood Association and the Chair of the Planning Commission's Local Health Risk Assessment Committee**

- The Local Health Risk Committee is now dormant, but before, it used to study the systems plan and the household hazardous waste component.
- They had always sought to deal with this expansion.
- They had hoped to get more consideration by the Commission through an EIR.
- They have never been in any dialog or meeting regarding this plan.
- Considering that after many years, they had sought to participate in meetings with organizations, just this morning they came up with a plan.
- They had also requested a continuation.

**(-) Rob Gibson - Member of the Little Hollywood Neighborhood Association**

- He would like to get some support to protest this project.
- He and his neighbors have been dealing with this situation for 25 years.



ACTION: **Negative Declaration Upheld**  
 AYES: **Antenore, Joe, Mills, Chinchilla, Salinas**  
 ABSENT: **Theoharis**  
 MOTION No. **15959**

16. 2000.257E (WYCKO: 558-5972)  
**200 TOWNSEND STREET, Appeal of Preliminary Negative Declaration** - Proposed demolition of existing one-and-two story buildings with about 8,000 gross square feet occupied by clothing outlets, a liquor store, and a vacant bar/restaurant plus a surface parking lot. New construction of a 97,400 gross square feet, 65 feet high structure with 51 live/work units, 1,400 gross square of retail space, about 10,900 gross square feet of office/business services, and 63 off -street parking spaces. The project site is situated at the northwest corner of Third and Townsend Streets in Assessor's Block 3787 and includes Lots 9, 10, 11, and 46. The proposed uses are permitted uses in the applicable Service/Light Industrial (SLI) and proposed South End Service (SES) Districts. Live/work is a permitted use under the interim Mixed Use Housing Zone (MUHZ) also in effect. The proposed five-story, 65 feet high structure would also conform to the 65-X height and bulk zoning for the project site. A lot merger is being sought. Parking, loading, and all other Planning Code requirements would be satisfied.  
 (Continued from Regular Meeting of August 3, 2000)  
 Preliminary Recommendation: Uphold the Preliminary Negative Declaration

SPEAKER(S):

**(-) Charles Miller - Bartko, Zankelete and Miller**

- The report acknowledges that there are serious traffic problems in the area.
- An EIR is required when there are problems recognized in the report.
- The report also acknowledges moderate damage after a 7.1 earthquake.
- This building will become one of the tallest buildings in this low-density area -- one more reason to prepare an EIR.

**(-) Alan Teague**

- He has 4 major concerns: 1) traffic; 2) parking; 3) 3rd street station building; 4) height of the building.
- He would like the Commission to not uphold the negative declaration and require an EIR.

**(+) Alice Barkley**

- None of the speakers who are asking the Commission for an appeal have provided any evidence that this project will create problems.
- A transportation study was prepared and all the intersections were studied.
- The implementation of using public transportation was carried out since after a game, she noticed that there were more people walking towards public transportation than to their vehicles.
- This neighborhood is rapidly changing. Yes, the building next door is a little bit smaller.
- Would like the Commission to deny this appeal based on that?

ACTION: **Negative Declaration Upheld**  
 AYES: **Antenore, Joe, Mills, Chinchilla, Salinas**  
 ABSENT: **Theoharis**  
 MOTION NO. **15960**

17. 1999.579E (NISHIMURA: 558-5967)  
**301 FIRST STREET, RESIDENTIAL DEVELOPMENT PROJECT - Public Hearing on the Draft Environmental Impact Report (EIR)** The proposed project is removal of a 200+-space parking lot, and new construction of a two-tower residential building consisting of 332 dwelling units, 410 residential parking spaces, and 5,100 square feet of retail space on an approximately 38,000-square-foot site on the southeast corner of Folsom Street, Lot 32 in





Assessor's Block 3748; within an RC-4 (Residential-Commercial, Combined, High-Density) District, Residential Subdistrict of the Rincon Hill Special Use District, and 200-R and 250-R Height and Bulk Districts. One tower, on the north portion of the building, would be 21 stories with a height of 200 feet and the other tower would be 26 stories at a height of 250 feet on the south side of the building. Parking would be provided within two to four levels below ground on the sloping site with entrance/exit on First Street and a garage exit on Grote Place off of Folsom Street, where access also would be provided for one off-street truck loading space.

Preliminary Recommendation: No Action Required.

**Note: Written comments will be accepted at the Planning Department office, 1660 Mission St., Suite 500, San Francisco, CA 94103, until the close of business on August 29, 2000.**

SPEAKER(S): None

ACTION: Public hearing only. No Action Required

18. 2000.286E (JAROSLAWSKY: 558-5970)  
**925 BRYANT STREET - Appeal of a Preliminary Negative Declaration.** The project site is located on Block 3780, Lot 077, within the western portion of the block, contains approximately 20,000 square feet and is within an IPZ (Industrial Protection Zone), a SLI (Service/Light Industrial) District and a 40-X Height and Bulk District. The site contains 75 feet of frontage along Bryant Street to the west and 265 feet of frontage along Langton Street to the north. The proposal includes the conversion of approximately 13,000 square feet of an existing office/retail/warehouse structure into retail/business service use and the addition of approximately 26,000 square feet of new floor area. The footprint of the structure would remain the same. The addition of two floors would result in a total of three stories. The resulting building would be approximately 40 feet in height, contain approximately 39,000 square feet and would contain 37 on-site parking spaces accessed from Langton Street. Preliminary Recommendation: Uphold Preliminary Negative Declaration.  
 (Continued from Regular Meeting of August 10, 2000)

SPEAKER(S):

**Jared Eigerman - Reuben & Alter - Representing Project Sponsor**

- Would like the Commission to reject the appeal and uphold the negative declaration.
- Staff has responded thoroughly to the material submitted by the appellant.
- This project is not a major one. It would maintain an existing retail use and add some business services use.
- The initial study found no physical effects on the environment to require an EIR.
- The appellant's material doesn't offer any substantial evidence to dispute this.
- The architect of the project is here to answer any questions.

ACTION: Negative Declaration Upheld

AYES: Antenore, Joe, Mills, Chinchilla, Salinas

ABSENT: Theoharis

MOTION NO. 15961

19. 1999.455E (NAVARRETE: 558-5975)  
**NEW DeYOUNG MUSEUM-- Public Hearing on Draft Environmental Impact Report.** The proposed project would demolish and reconstruct the M.H. DeYoung Museum on the site of the existing DeYOUNG Museum in Golden Gate Park. The project would include demolition of eight existing buildings, totaling approximately 230,000 square feet, which compose the DeYOUNG Museum and the Asian Art Museum. (The Asian Art Museum will move to the Civic Center.) The new building would include two main levels above grade, one level below grade with a varying roof height ranging from 33 to 48 feet, and a 160-foot tower at the



northeast corner of the project site. The building would increase current DeYoung Museum gallery and exhibition space at the site from the existing 37,000 sf to total about 75,000 sf. The project would remove the 85 existing paved parking spaces for museum staff, currently on the eastern side of the museum, and would not provide replacement parking. The project site is within the P (Public Use) zoning district and within an OS (Open Space) Height and Bulk District; Assessor's Block 1700, Lot 1, bounded to the north and east by John F. Kennedy Drive, to the south by Tea Garden Drive and to the west by the Hagiwara Japanese Tea Garden. **Note: Written comments will be received at the Planning Department until 5:00 p.m., on August 29, 2000.**

Preliminary Recommendation: No Action Required

**SPEAKER(S):**

**(+) Danny Leone - North Beach Chamber of Commerce**

- He supports the new design of the museum. The new design will offer more exhibit space, more parking space, and a view which it didn't have before.

**(-) Joseph Fusco - Chairman of a new organization called People for a New De Young Museum.**

- There are a number of people from the Sunset District who were not notified and did not receive the Draft EIR.
- His organization does not take a stand on the design of the new building, their comments involve context.
- He would like to request a continuance.
- The report does not reflect the impact on the environment. It is full of weak assumptions, mistaken conclusions, lack of neutrality, and disingenuous use of wording and graphics.
- An EIR is supposed to be an objective assessment of the project's impact. It reads like it was prepared by, rather than for, the Fine Arts Museum of San Francisco.
- Fine Arts of San Francisco is just trying to build a high rise.

**(+) Margarete P. Archer**

- There is one significant change. The square footage will increase. Some people don't like the shape of the tower and the fact that it will move. The tower moves around very quietly. The shade will change and it will be very beneficial to the park.
- In regards to the parking, she believes that a garage is needed. Some people don't believe there is a need for parking, other people don't believe anything should be built at all.
- The fact that the tower will move around will be fascinating to children who come to the museum.
- There are a lot of parking problems in the City. On weekends people park on Lincoln Way and some park in the park.
- She has been devoted to the museum for a long time and believes that the museum is very valuable.

**(+) Jim Killoran - Asian Art Museum**

- The project will be complete in July of 2002 and will open in the Fall of 2002.
- The schedules for the Asian and deYoung will overlap. His organization is working closely with staff of both museums regarding occupancy of space for the art pieces.
- The construction process will adequately abate or mitigate affects on the Asian Art Museum in regards to noise, dirt, vibration, etc. He would like the EIR to reflect these situations and state that measures are being taken to deal with these situations.

**(+) Toby Levine**

- She read the EIR and believes that this is a very simple one.
- There are no negative impacts from this project.
- She hopes that this project will become a beautiful vehicle for art and for people to come and view this art.
- Would like to have Commission certify this EIR.

**(+) Sally Ann Ryan - Art Supervisor of the San Francisco Unified School District**

- She supports this project and is exited about the moving tower which will please children.
- The Board of Education unanimously passed a resolution to support children to find ways



to provide funds for construction.

- San Francisco is known for many things, now we have a symbol of the love of the arts but also the moving tower so they can see the area that the museum encompasses.

**(+/-) Ron Miguel - Member of Planning Association for the Richmond**

- The present building is no longer adequate and is not a historical building.

- He doesn't have great disputes with the EIR. It is a very simple report.

- He hopes that when the EIR for the Concourse is done, it will be similar to the one for the deYoung Museum.

**(+) Jim Chappell - President of SPUR**

- He has reviewed the EIR and believes that the report is quite accurate.

- There is no question that the existing building must be demolished and replaced.

- The EIR considers visual quality and shadow issues. It is properly conservative in it's analysis of traffic issues and is adequate for the park.

**(+/-) Pinky Cushner - Alliance for Golden Gate Park**

- Would like to have case continued since she just received the EIR this morning.

- She is very experienced in commenting on EIRs.

- She has various comments regarding issues she would like to have dealt with in the EIR and she will submit her comments before the deadline.

**(+) John Lumis - California College of Arts and Crafts**

- He is convinced that the majority of the architects in the city will agree with the new design of the museum.

- This museum will be friendly to all ages.

**(+) Chooi Eng Grosso - SHARP**

- Many people voted to tax themselves to rebuild the museum in Golden Gate Park.

- When she read the EIR, she had no problems with it.

**(-) Roger Brandon**

- The voters of the City rejected building a new structure twice.

- The design of the building is not appropriate.

- This building is a disaster in the making.

**(-) Philip Carlton - Alliance for Golden Gate Park**

- He would like the Commission to reject the EIR.

- The tower will be an observation tower which therefore will be a land use change since there has never been an "observation" deck before. Someone will get hurt at this observation deck.

- There are a number of observation areas throughout San Francisco. There is no need for another one.

- The EIR states that there will be an additional 300,000 visitors. This number is very low.

- He would like a description of the land deeded by the BOS, Rec and Park Commission, Planning Commission and the Charter to the Museum. What is the process for them if they go beyond to acquire this other land.

**ACTION: Public hearing only. No Action Required**

20. 95.385E (KUGLER: 558-5983)  
444 DIVISADERO STREET, TOUCHLESS CAR WASH **Appeal of a Preliminary Negative Declaration** on Assessor's Block 1216 - Lots 5, 17, 18, 19, located on the northeast corner of Oak and Divisadero Streets in the Western Addition. The proposed project would demolish two existing buildings at 1060-1062 and 1052 Oak Street and construct a new two-story mixed-use building with two dwelling units on the second floor and an auto detailing services and a parking space on the ground floor. There would be one level of underground parking with 13 spaces accessed by a commercial automobile elevator. The underground parking would be covered by landscaping. An additional two story structure would be constructed to serve as an employee lounge and storage area. Two shed roofed open sided structures would be constructed to connect the existing car wash structure and the two proposed structures. Minor modifications in the form of the addition of a covered waiting area



and the enclosure of an existing laundry facilities would be done to the existing car wash building. The car wash vehicular circulation and queuing area would be expanded and reconfigured. The proposed site is split between two zones; lots 5, 17, 18 and the portion of lot 19 that fronts on Oak Street are zoned NC-2 while the interior remainder of lot 19 is zoned RH-3. A rezoning of the interior portion of lot 19 from RH-3 to NC-2 is proposed as a part of the project. The project also has two Height/Bulk Districts 65-A and 40-X. Preliminary Recommendation: Uphold Preliminary Negative Declaration (Continued from Regular Meeting of July 13, 2000)

**SPEAKER(S):**

**(-) Cynthia Marcucci**

- This matter has a long history and has sparked a number of concerns with the neighbors.
- She would like to have this matter continued because she would like to request that it be heard before a full Commission.

**(-) Richard Kay**

- He is here representing neighbors who have concerns about environmental hazards.
- He would like this project to have a more detailed traffic and noise study done.
- The car wash noise will be too loud.
- The neighbors have concerns about the oil which will be run onto the sidewalk.

**(-) Michael Smithrick - Alamo Square Neighborhood Association**

- There has been no explanation, no calculation or analysis that explains how Touchless Car Wash--with proposed renovation and expansion--will not create environmental and traffic problems.
- Over 90% of the wash time is done before going into the wash tunnel. The traffic jams will be created even before cars go into the wash tunnel. This is in addition to the separate auto detailing area proposed.

**(-) Patricia Vaughney**

- The negative declaration is breaking the law. It does not follow CEQA. It does not address the rezoning of more property for this site and for the potential use of said property. Under CEQA this issue needs to be addressed.

**(+) Harry O'Brien - Coblins, Patch, Duffy and Bass - Representing Project Sponsor**

- There is fundamental confusion in the negative declaration appeals and in the comments today regarding the environmental impacts of the carwash vs. the environmental impacts of the project.
- This project has been designed to express concerns about noise and chemical sprays used at the car wash.
- The capacity of the wash tunnel is unchanged.
- A sound consultant report was issued and passed to the Commissioners.

**(-) Joe O'Donahue - Residential Builders**

- He didn't read the EIR yet he lives in the neighborhood.
- Is it wise to increase the capacity of what is already an environmental traffic disaster area?
- Pedestrians and/or handicapped persons cannot walk on the sidewalk that front the carwash.
- This neighborhood is completely in opposition to this project.
- The Mayors office does not realize the significance of the opposition.

**(-) Agar Chakes**

- He has driven down Oak Street. A whole lane of traffic is used for people trying to get into the car wash.
- The quality of life of the people that live around that neighborhood is getting damaged. This is not what the City or this Commission are about.

**(-) Jeff Williams - President of the 425-427 Homeowner's Association on Scott Street**

- He is the other appellant.
- The Touchless car wash has been continually breaking all environmental laws, ignoring the neighborhood and their employees.
- The car wash is also in violation on the hours of operation.





**(-) Tom Coniff - Lives in the neighborhood**

- He agrees with the previous speakers.
- There are 3 gas stations surrounding the area of the proposed car wash. Those alone create a number of traffic problems. This is already excessive for a neighborhood.
- This is creating a larger problem to an already dangerous situation.

**(-) Michel Lipman - Lives on Scott Street**

- He is concerned about the goodwill of the company since they have made promises they have not kept.
- He has tried to speak to the owners of the touchless car wash and has tried to work out issues and problems but nothing has been done.

ACTION: **Negative Declaration Upheld**  
 AYES: **Joe, Mills, Chinchilla, Salinas**  
 NAYES: **Antenore**  
 ABSENT: **Theoharis**  
 MOTION NO. **15962**

**NOTE: Items 21 and 22 were called and heard together.**

21. 2000.291CZ (WOODS: 558-6315)  
**1062 OAK STREET**, north side, between Divisadero and Scott Streets, Lot 19 in Assessor's Block 1216 - Request to amend the Planning Code Zoning Map to reclassify a portion of Lot 19 from an RH-3 (Residential, House Districts, Three-Family) Zoning District to an NC-2 (Small-Scale Neighborhood Commercial District) Zoning District. Currently, the northern portion of Lot 19 (trapezoidal-shaped of approximately 113 feet wide by 82 feet deep) is zoned RH-3 and is in a 40-X Height and Bulk District; the southern portion of Lot 19 (a narrow strip of approximately 25 feet wide by 90 feet deep) is zoned NC-2 and is in a 65-A Height and Bulk District. The proposal is to reclassify the RH-3 portion of Lot 19 to NC-2 to allow the expansion of an existing car wash (Touchless Car Wash). The Height and Bulk District of the reclassified portion of Lot 19 would remain 40-X.  
 Preliminary Recommendation: Adoption of the Draft Resolution for Reclassification.

**SPEAKER(S):****(+) Art Davis - Represents Canadian Oil Company (owners of the Touchless Car Wash)**

- The carwash has been at this location for 50 years.
- TCW has been the winner of many awards voted on by consumers.
- This is not about increasing the peak capacity of the block. The wash tunnel will not be increased so the capacity of the cars would remain the same.
- The company would just like to increase the work area for their employees by adding a break room, lockers, etc.
- They have had many community meetings, have listened to the neighbors and are trying to deal with their concerns.

**(+/-) David Gast - Principal of the Firm of David Gast Architects**

- They designed the new construction to buffer noise, chemicals, etc from the neighbors.
- They have changed the project to produce a building which is in scale with the rest of the buildings in the neighborhood.
- They have increased the area where cars will wait to go into the wash tunnel; this would alleviate the back up of cars on Oak Street.
- They have worked quite hard to come up with a proposal which will deal with the concerns of the neighbors.

**(+) Harry O'Brien -**

- An important part of this project is to make the car wash useful for everyone -- neighbors, customers, employees.
- Perhaps, in the history of the carwash, they may not have kept every single promise they



have made. Yet, they have always tried to be considerate to the customers and the neighbors.

**(+) Javier Calix**

- He is the manager of the Touchless Car Wash. He has worked there for 11 years.
- He is here to represent the workers of the car wash.
- The workers are very much in favor of having a place where they can take their breaks and eat their lunch, as well as lockers to store their belongings.

**(+) Robert Bentley**

- People who are opposing this project have been using false information and false tactics.
- The people have created confusion and hysteria by using false information.

**(+) Peter Radovich**

- He is a new resident to the area.
- The first thing he found was a good car wash to get his car clean.
- This project helps the neighborhood as well as it's workers.
- Would like the Commission to approve this project.

**(+) Jason Jermame**

- He is also a new resident in this area.
- He supports the car wash since the changes that they are planning make sense.
- He gets his car washed there regularly.

**(-) Cynthia Marcucci - Haight/Divisadero Merchant's Association**

- Her organization opposes the project.
- The car wash is attracting new customers which will eventually cause more traffic and traffic problems.
- There has been a 16-year track record in which the owner's of the car wash has shown that they have not come through with their promises.

**(-) Mark Garner**

- Over the years his tenants have had many problems with this car wash.
- There were a certain number of residential units promised yet only a few units were built.
- The trees to buffer the noise were never built either.
- A fence was supposed to built as well and it was never built.

**(-) Rafael Zocca**

- He lives within 50 feet of this project--(he displayed a photograph of a backup of cars trying to get into the car wash.)
- He has to go into the middle lane to go into his garage.
- There has been no peace in this neighborhood.
- The car wash owners need to realize that neighbors have had many problems with this car wash.

**(-) Mary Zocca**

- Her backyard is adjacent to the car wash. There is a section where they will be building a park.
- The park will be for their employees.
- Her fence goes up 6 feet yet the area of the car wash will have to be leveled and a 6 foot fence added--which will make it a 12 foot fence she will have to look at.
- She wants a right to privacy and a right to good health.

**(-) Homa Fatalazadelis**

- Oak Street is a one way street, when cars come out of the car wash, people are in so much hurry to get out of there to get to their next appointment which can cause dangerous situations.

**(-) Patrick Harris**

- He has talked to Art Davis regarding employment. Yet his people cannot fill out applications if Mr. Davis is not on the site.
- He would like to have more community support from the owner of the car wash.

**(-) Holly Thuman**

- They gathered 300 signatures and everyone was against the expansion of the car wash.



**(-) Mark Lorenzer - Chairman of the Haight/Divisadero Neighbors and Merchant's Group**

- He lives a block away and has used the car wash yet he has found another car wash that is more convenient for him.
- He is concerned that the representatives of the car wash come to the meetings and provide some information only, and don't provide the residents with solutions to their questions and/or issues.
- He has never met the owner of the car wash.

**(-) Richard Kay**

- For many years the car wash management has allowed the problems to get out of control-- (he displayed pictures of cars on the sidewalk and cars parked in areas where it could be dangerous for pedestrians.)

**(-) Jeff Williams**

- He lives on Scott Street and is totally against the expansion of the car wash.

**(-) Michael Smithrick**

- They gathered about 300 signatures in one day and people were almost fighting to sign. This proves the fact that there are more people against the expansion of the carwash than people who support it.
- Expanding the car wash is supposed to eliminate problems but after analyzing the proposal it doesn't appear to reduce any problems at all.

**(-) Gary Goad**

- If the owners are going to spend thousands to expand their facility why can't they spend \$100 to clean their sidewalk?

**(-) Brian DeHuff**

- He has a tree in his back yard and one side of the tree is dying because of the sprays that are used to clean the cars.

**(-) Greg Hansen - Haight/Divisadero Neighborhood Association**

- He has lived in the area for about 14 years.
- He uses the car wash yet his issues are about broken promises. The car wash promised many things and nothing was ever carried out.
- Bottom line: they can't be trusted.

**(-) Joe Konopka - Candidate for District Supervisor**

- He is very familiar with this area and uses the car wash yet he is not a customer on Saturday or Sunday because the traffic situation is horrendous.
- If you build more, more will come. Expanding the car wash will make problems larger.
- The housing issue is critical so spaces should be used for housing.

**(-) Susan Chandler -**

- She lives on Page Street which is 1 block away from the car wash.
- She lives in a classic Victorian neighborhood and she doesn't believe in increasing commercialization.
- The owners have proved that they can not be trusted.

**(-) Winston Montgomery - Alamo Square Neighborhood Association**

- This car wash is a nuisance and this proposal will increase this nuisance.
- He read a letter from a resident who could not attend the hearing and is opposed to the expansion.

**(-) Kirk Kleinschmidt**

- Since 1985 neighbors have repeatedly complained of the car wash.
- The Commission imposed restrictions on the car wash yet none of these restrictions were ever implemented.
- He would like the Commission to deny this conditional use.
- If the Commission were to approve the conditional use, certain restrictions should be enforced and carried out.

**(-) Robin Haxo**

- Her family is happy that the car wash is doing so well, yet they should move to an area that



can support heavy commercial use.

- This Commission did not approve the expansion of a business just across the street.
- She never takes her children along a very busy street and fight with cars that are either parked on the sidewalk or coming into the car wash.

**(-) Mark Toparcher - President of the Alamo Square Neighborhood Association**

- He would like the Commission to deny the expansion of the car wash.
- This project goes against the principals of good urban design.

**(-) Patricia Vaughey**

- This appeal was done by Haight/Ashbury, Alamo Square and The Planning Association of Divisadero Street
- As planners, they hear it all the time -- more housing is required.
- You cannot allow someone to expand a project if they have not followed the rules.

**(-) Jerry Wilder**

- He is one of the people that run to the park and run back. He has slipped because of the oil that comes onto the sidewalk.
- How many incidents will it take for the carwash to clean their mess?

**(-) Valery Hartwell - Alamo Square Neighborhood Association**

- She agrees with all of the comments from the previous speakers--(showed pictures of her back yard and how her trees have died because of the chemicals sprayed onto the cars.)

**(-) Joe O'Donahue - Residential Builders**

- This meeting should be held not to grant an expansion but to penalize a business owner which did not follow the requirements imposed on them by the Commission.
- The car wash can improve on their existing facilities. Instead of using money to expand, they should provide better salaries to their employees.
- There is no need for underground parking.

**(-) Jeremy Burchin**

- He has lived in the neighborhood for over 2 years.
- He opposes the expansion of this project since he has slipped many times on the sidewalk, the parking is really bad, there are cars parked on the sidewalk, there is an incredible amount of noise, and there is an awful smell because of the chemicals used at the carwash.

**(-) Mark White**

- He feels very strongly about opposing this project.
- He agrees to everything the previous speakers have said.

**ACTION:** Motion from Commissioner Joe--Item 21 only: Deny reclassification from RH-3 to NC-2. The motion failed for lack of a 2nd.

**ACTION:** Public hearing was closed. Project (items 21 and 22) continued to September 14, 2000 to allow project sponsor to come back with an alternate project.

**AYES:** Antenore, Joe, Mills, Chinchilla, Salinas

**ABSENT:** Theoharis

22. 2000.291CZ (WOODS: 558-6315)  
 444 DIVISADERO STREET AND 1052-62 OAK STREET, northeast corner of Oak and Divisadero Streets, Lots 5, 17, 18 and 19 in Assessor's Block 1216 - Request for Conditional Use Authorization under Sections 186.1, 209.7, 303, 304 and 711.59 of the Planning Code to permit a Planned Unit Development for the expansion of an existing car wash (Touchless Car Wash) in an NC-2 (Small-Scale Neighborhood Commercial District) Zoning District with 65-A and 40-X Height and Bulk Districts.  
 Preliminary Recommendation: Approval with conditions

**SPEAKER(S):** Same as item 21.

**ACTION:** Same as item 21.

**AYES:** Antenore, Chinchilla, Joe, Mills, Salinas





ABSENT: **Theoharis**

23. 98.281Z (GORDON: 558-6309)  
185 BERRY STREET, China Basin Landing Project; Lot 5 in Assessor's Block 3803 (bounded by Third, Berry and Fourth Streets and the China Basin Channel) -- Request under Planning Code Section 302 for an amendment to the Planning Code's zoning map to change the height and bulk district classification on Assessor's Block 3803, Lot 5 from 60-X to 90-X to allow the construction of a three-story vertical addition to an existing three-story, 40-foot tall building for a total height of approximately 87 feet. The proposed project at the site would contain up to 120,000 gross square feet of office space and up to 54 dwelling units. The property is within a M-2 (Heavy Industrial) District, the Mixed Use Housing Area of the IPZ Industrial Protection Zone), the proposed Ballpark Vicinity Special District's South End Office District, and is currently within the 60-X Height and Bulk District.  
Preliminary Recommendation: Adopt a resolution of intent to initiate the Zoning Map amendment; Recommend adoption to the Board of Supervisors.

SPEAKER(S): **None**

ACTION: **Without hearing, continued to September 7, 2000**

AYES: **Antenore, Joe, Mills, Chinchilla, Salinas**

ABSENT: **Theoharis**

- 24a. 2000.225CV (NIKITAS: 558-6306)  
3131 WEBSTER STREET, northwest corner of Moulton Street, Lot 002 in Assessor's Block 0509 - Request for Conditional Use Authorization under Planning Code Sections 121.2 and 712.21 for use size exceeding 6,000 square feet. The proposal is for a Business or Professional Service Office (McGuire Real Estate) of 12,160 gross square feet to be achieved by remodeling into offices an existing former restaurant, The North India, (two structures totaling 4,960 square feet in area) and connecting those structures to the existing adjacent real estate offices at 2001 Lombard Street (gross area of 7,200 square feet) via a new second-story pedestrian bridge between the lots. The subject properties are within an NC-3 (Moderate Scale Neighborhood Commercial) District and 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of July 13, 2000)

SPEAKER(S): **None**

ACTION: **Approved with conditions**

AYES: **Antenore, Joe, Mills, Chinchilla, Salinas**

ABSENT: **Theoharis**

MOTION NO. **15963**

- 24b. 2000.225CV (NIKITAS: 558-6306)  
3131 WEBSTER STREET, northwest corner of Moulton Street, Lot 002 in Assessor's Block 0509. The Zoning Administrator will conduct a joint hearing on a request for a Variance from the off-street parking spaces required for a proposed office addition. Sections 151 and 712.22 of the Planning Code require eight off-street parking spaces for the proposed use of the subject property, located within an NC-3 (Moderate Scale Neighborhood Commercial) District and 40-X Height and Bulk District. No off-street parking is proposed.  
(Continued from Regular Meeting of July 13, 2000)

SPEAKER(S): **None**

ACTION: **Acting ZA closed the public hearing and has taken the matter under advisement.**



25. 2000.540C (SMITH: 558-6322)  
1875 ALEMANY BOULEVARD (A.K.A.) 30 ONONDAGA AVENUE, northeast corner of the intersection of Alemany Boulevard and Onondaga Avenue, Lot 23 in Assessor's Block 6956- Request for a Conditional Use Authorization under Planning Code Section 712.83 to install 16 antennas on the Pacific Bell switching facility within an (NC-3 ) Moderate-Scale Neighborhood Commercial District and 65-A Height and Bulk District.  
Preliminary Recommendation: Approval with conditions

## SPEAKER(S):

(+) **Robert McCarthy - McCarthy and Schwartz on behalf of Metricom**

- Community meetings were held and no one attended.

- One person submitted a letter. We responded by calling this person yet was never able to speak to this person.

ACTION: **Approved with conditions**

AYES: **Antenore, Joe, Mills, Chinchilla**

NAYES: **Salinas**

ABSENT: **Theoharis**

MOTION NO. **15964**

26. 1999.086C (YOUNG: 558-6346)  
815 - 827 HYDE STREET, west side between Bush and Sutter Streets; Lot 004 in Assessor's Block 0279: -- Request for Conditional Use Authorization pursuant to Section 209.8(d) of the Planning Code to establish office use at the second and third story level of an existing three-story building within an RC-4 (Residential-Commercial Combined High Density) District and 130-E Height and Bulk District.  
Preliminary Recommendation: Approval with conditions

## SPEAKER(S):

(+) **Dan Sullivan - speaking on behalf of the project sponsor**

- This project was originally thought of as being an ancillary event area for the hotel and that the project sponsor was adjacent to this site.

- The building was constructed in 1904 as a commercial building. Since 1942, the building had been utilized as a place of assembly. Show Folks of America occupied the building.

- They have met requirements and would like to have this project approved for conditional use.

ACTION: **Approved with conditions**

AYES: **Antenore, Joe, Mills, Chinchilla, Salinas**

ABSENT: **Theoharis**

MOTION NO. **15965**

## G. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately 7:15 P.M. the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

27. 2000.588D (JONES: 558-6477)  
432 URBANO DRIVE, Request for Discretionary Review of BPA No. 2000/02/07/1232 to construct a new 2nd story vertical addition, and add a one-story rear horizontal addition to the existing one-story single family dwelling in RH-1(D) (Detached, Single-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit Application as submitted.



SPEAKER(S):

**(-) Les Plack**

- The proposed construction will block the vast majority of direct light into his house. Also, it is not within the character of the neighborhood.
- There are two skylights that allow for sunlight yet he will still get shade into his house.
- He is not an architect so he can't propose alternatives.

**(+) Raymond Yang**

- He would like to request an approval to the vertical addition to his home.
- He has lived in the neighborhood for 3 years.
- His neighbor has many trees in his yard so there is minimal sunlight already.
- Many of the properties in the area have 2 levels either because they were built that way or because there were recent additions.
- He would like to build the addition because he and his wife want to start a family.
- He feels that his project is within the guidelines and is considerate to his neighbor.

**ACTION: Commissioner Chinchilla requested to be excused because he lives in the neighborhood.**

**AYES: Antenore, Joe, Mills, Chinchilla, Salinas**

**ACTION: No DR. Project Approved.**

**AYES: Antenore, Joe, Mills, Salinas**

**ABSENT: Theoharis**

**EXCUSED: Chinchilla**

28. 1999.584D (M. SNYDER: 558-6891)  
188 KING STREET, north side between 3rd and 2nd Streets, Lot 4A in Assessor's Block 3794 -- Staff Initiated Discretionary Review of Demolition Permit Application No. 2000/06/20/3161 and Building Permit Application No. 2000/05/24/0891S, proposing to demolish a one-story 20-foot tall building (previously used as a garment factory) and to construct a 44-unit live/work project. The project site is within an M-2 (Heavy Industrial) District, a 105-F Height and Bulk District, and a Mixed-Use Housing Zone.  
Preliminary Recommendation: Take Discretionary Review and Approve the Permits with Conditions.

SPEAKER(S):

**(+) Alice Barkley**

- The Department did not receive any negative comments.
- The Negative Declaration was not appealed. There was no DR filed by the public.
- The Department is concerned that the street level have the kind of life and pedestrian interest instead of a blank wall. The architect has done that.
- There shall not be any T-shirt sales stands.
- Even in the evening, when the door is rolled down and you can still see through it, they will make sure that the loading dock door will have some type of panel so it is not just an ugly metal door.
- When it becomes a retail space, it will be an actual store front.

**ACTION: No DR. Approved with the condition that T-shirt sales in front are prohibited; project is subject to any permits required for sidewalk sales.**

**AYES: Antenore, Joe, Mills, Chinchilla, Salinas**

**ABSENT: Theoharis**

Adjournment: 7: 40 p.m.



**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE  
PLANNING COMMISSION ON THURSDAY, OCTOBER 5, 2000**











